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HIGH COMMISSIONER FOR REFUGEES

Forty-ninth session

SUMMARY RECORD OF THE 530th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 7 October 1998, at 3 p.m.

Chairman: Mr. RODRIGUEZ CEDEÑO (Venezuela)

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The meeting was called to order at 3.15 p.m.

ANNUAL THEME: INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN ALL ITS ASPECTS: NATIONAL, REGIONAL AND INTERNATIONAL RESPONSIBILITIES FOR REFUGEES (agenda item 4) (A/AC.96/904) (continued)

1. Mr. NDIAYE (Observer for Senegal) said that the globalization of the economy and technological progress had made the world a smaller place and heightened the responsibility of the international community in dealing with global crises. The social, environmental and human consequences of present-day conflicts required a philosophy rooted in a long-term outlook. Today's legacy to future generations should be an ever-present concern.

2. All the major international instruments which defined the ethical responsibilities of States took for granted the right of asylum, i.e. the duty to take in and give assistance to displaced persons. But States also had a duty to forestall likely conflicts before they occurred.

3. As far as burden-sharing was concerned, the most logical approach would be to work through the hierarchy of institutions, namely, States, regions and the international community. Neighbouring States and States in the same region would necessarily assume the brunt of the burden of hosting refugees. Where good-neighbourliness failed to provide a solution, the international community would be obliged to intervene. In reality, however, the picture was somewhat more complex in that the political and humanitarian responsibilities of all the actors in a refugee crisis were interdependent. Simply denying that fact would lead to a situation in which certain responsibilities might be forgotten or shirked.

4. Senegal had played an active role in the recent humanitarian mission in Guinea-Bissau and was continuing its efforts to bring about peace in West Africa. His delegation appealed to UNHCR, the United Nations specialized agencies and all States to strengthen their efforts to re-establish peace and security based on the rule of law.

5. Mr. SANOUSSI (Observer for Guinea) said that recent troubles in Liberia, Sierra Leone and Guinea-Bissau had led to serious refugee and other problems in West Africa. Owing to its location at the heart of the region, Guinea had borne the brunt of the refugee outflows caused by those troubles. There were currently 700,000 refugees from Liberia and Sierra Leone in Guinea, a figure equal to one tenth of its population. The true figure was probably much higher; a refugee census was therefore an urgent priority. It was a matter of particular concern that the most recent wave of refugees from Guinea-Bissau had received no humanitarian assistance; to make matters worse, they were living in areas where there was already a food shortage. If no humanitarian assistance was forthcoming in the very near future, their presence could have grave consequences for the local population and environment.

6. In some areas of Guinea, the refugee population currently outnumbered the locals. Intensive farming of arable land by recently-arrived refugees had led to rapid soil degradation and deforestation. The dramatic increase in the

size and concentration of the population had also led to sanitation problems, depletion of medical supplies, social upheaval and a rapid deterioration of the road network. Government expenditure had skyrocketed.

7. Although aware of the valuable work being done by UNHCR all over the world, the Guinean Government believed that the High Commissioner had not devoted sufficient resources to the desperate situation in Guinea. Furthermore, his Government was acutely concerned about security in the region following armed incursions by rebel forces from Sierra Leone. Accordingly, refugees should be made aware of their responsibilities while residing in the territory of another State and measures should be taken to site refugee camps further away from international borders.

8. Guinea was in the process of reorganizing its administrative structure for dealing with refugees and framing new legislation to address refugee-related issues. By doing so, his Government was demonstrating its commitment to establishing procedures for admitting refugees and granting them leave to remain in the country while at the same time ensuring their protection. But none of those measures would bear fruit unless adequate humanitarian assistance was made available. The international community could also demonstrate its solidarity by strengthening the operational capacity of security forces stationed at reception points.

9. Guinea strongly advocated crisis-prevention mechanisms and, in that connection, would welcome any UNHCR effort to initiate diplomatic steps leading to a definitive settlement of West African conflicts. Preventive diplomacy had an enormous role to play in forestalling refugee outflows and eliminating the causes of conflicts.

10. Mr. CASTRILLÓN JARAMILLO (Observer for Ecuador) said that refugee crises had an especially disruptive effect on the economy and society of developing countries and it was essential therefore to adopt measures to mitigate those repercussions in the short term. At the same time, the foundations should be laid for an international burden-sharing mechanism. International solidarity should also involve the provision of technical assistance, thereby helping developing countries to cope with refugee flows at the organizational level. Financial and technical assistance was required to implement programmes for the return and resettlement of refugees.

11. The international community should also lay the foundations for a mechanism to protect refugees living in particularly dangerous conditions in order to enhance UNHCR's effectiveness in terms of supervising and coordinating the protection of displaced people.

12. Mr. SESAY (Observer for Sierra Leone) said that his Government was grateful for the excellent work UNHCR had been doing and continued to do in Sierra Leone since the outbreak of the rebel war in 1991 and the events of 1997, when a group of misguided and unpatriotic elements of the military forces had connived with rebels and seized power from the democratically elected Government. The unprecedented mayhem and nightmare unleashed by the junta coalition on innocent unarmed civilians had led to the exodus of thousands seeking refuge in neighbouring countries, joining thousands who had earlier sought refuge during the seven years of rebel war.

13. UNHCR had been in the process of finalizing programmes for the repatriation of the former refugees when they had been joined by an even larger number of their compatriots, completely disrupting what would have been a well-organized repatriation exercise. The resilience of the Sierra Leonean people, combined with the universal condemnation of the coup by the entire international community, had helped to isolate the junta, which had eventually been removed from power with the intervention of the Nigerian-led forces of the Monitoring Group of the Economic Community of West African States (ECOMOG) in February 1998. Although the democratically elected Government had since been reinstalled and 90 per cent of the country liberated, remnants of the junta and their collaborators continued to cause the most unimaginable atrocities, including mutilations of innocent villagers, thus fuelling the second exodus of refugees to Guinea and Liberia. International solidarity with the Economic Community of West African States (ECOWAS) to support ECOMOG activities was urgently required to put an end to such atrocities. UNHCR had been extremely helpful in meeting the immediate needs of those newly arrived refugees by providing them with food and non-food items, water supply systems, latrines, medical assistance, shelter, protection and administrative support.

14. The old caseload of 222,550 refugees, overwhelmed by the new caseload of 267,443 refugees, incidents of infiltration by rebels into the refugee camps in Guinea and aggressions against Sierra Leonean refugees in camps in Liberia had made the Sierra Leonean situation a complex one that warranted a complex intervention. Refugees who had been living in camps for the past seven years were anxiously hoping to return to their respective towns and villages, but had nothing to return to, as the fleeing junta forces had looted and destroyed their homes.

15. His Government was well aware of the fact that the rehabilitation of homes and other social infrastructure, and the creation of job opportunities, did not fall within UNHCR's mandate, but any attempt to repatriate those refugees without due consideration of reintegration programmes would be counterproductive. Although it was not the practice of UNHCR to camp returnees in their countries of origin, temporary transit arrangements would be necessary not far from their places of origin for that category of refugees. That was particularly essential for refugees whose places of origin were not safe, but who were anxious to go home because of potential instability in the areas where they had taken refuge. His Government had recently received reports of the consistent harassment of Sierra Leonean refugees in the places of refuge. The infiltration on 1 September 1998 by rebels of camps in Guinea, which had resulted in the death of 10 people, including refugees, had created grave concern for the safety and welfare of Sierra Leonean refugees.

16. Inasmuch as many Sierra Leonean refugees had settled in border areas with Liberia and Guinea and in view of the special situation prevailing in those areas, UNHCR should consider extending repatriation packages to "facilitated" as well as "spontaneous" returnees. That was necessary since most of those refugees were located along the common borders adjacent to their areas of origin and it was assumed that many would spontaneously cross the borders, without waiting for organized transportation or assistance, once the

security situation had improved. Once home, however, they were faced with the stark realities of their empty environment, a situation that made the peace process very fragile and vulnerable.

17. Although UNHCR's main mandate was to cater for the needs of refugees, his Government invited it also to consider the case of internally displaced persons who, because of the damage to both the economic and physical infrastructure, found it difficult to benefit from humanitarian assistance. NGOs had been very forthcoming in that regard, but there was a big gap between what was provided and what was required. He conveyed his country's gratitude to countries in the West African subregion which had had to shoulder the burden of caring for Sierra Leonean refugees.

18. As the organized mass repatriation of Sierra Leonean refugees was not currently feasible due to the security situation in some parts of the country, the Government had recently initiated action with a view to complementing the work of UNHCR by facilitating the return of Sierra Leonean refugees from Guinea and Liberia. Missions would soon be dispatched to liberated areas in Sierra Leone to assess their security for receiving returning refugees. The Government had also begun to make arrangements for field missions to the refugee camps in Guinea and Liberia in order to sensitize the refugees and prepare them for returning. To accomplish those ventures, the Government would rely on the continued support and advice of UNHCR. There should be more willingness on the part of developed countries to share the burden of refugees, especially in the context of providing asylum.

19. Mr. GUDUZA (Observer for Swaziland) said that his country continued to uphold its national, regional and international obligations and jealously to guard the institution of asylum. It continued to pursue refugee advocacy initiatives vigorously and was proud to announce the completion of the translated version of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa into the local language, Siswati. That would ensure wider readership and understanding of the Convention and the nation at large would be better educated about refugees, thereby removing the stigma often attached to refugees and hopefully reducing xenophobic tendencies.

20. Swaziland followed with keen interest mediation attempts aimed at restoring peace to its troubled neighbours. For the first time in the history of the Kingdom's defence force, military officers had attended a peacekeeping training exercise, a real indication of the country's desire to play a meaningful role in peacekeeping. That proactive stance had been assumed deliberately in line with Swaziland's preference for preventive rather than reactive diplomacy. In addition, at the local level, the Swazi community had been engaged in a number of refugee-related activities, such as ongoing public awareness for school children, media seminars and competitions. Over the past two years, refugees had been involved in substantive conflict resolution and trauma initiatives; those efforts had been generously facilitated by the Government and the UNHCR/NGO Partnership in Action (PARinAC). While some people might view burden-sharing as a question of too many cooks spoiling the broth, he would rather believe that many a hand made the burden lighter. He urged the Executive Committee to revisit the 1994 Oslo Declaration and Plan of Action that had given birth to the PARinAC process, which, if properly guided, nurtured and utilized, could prove to be invaluable.

21. In an effort to protect the institution of asylum, Swaziland had initiated a process with its neighbours to confront the refugee problem. It continued to be a faithful and active promoter of the Memorandum of Understanding between the Governments of the Southern African Development Community (SADC) and UNHCR. Its geographical location in the southernmost part of Africa had not interfered with its open-door policy. It continued to receive refugees from such far-flung locations as the Great Lakes region and the Horn of Africa. Quite recently, the Swaziland Government had met with three others to deliberate on the irregular migration of refugees. Such efforts aimed only to eliminate "pull havens", which had the potential of seriously compromising the institution of asylum.

22. Mr. NAVARRO (European Commission Humanitarian Office) said that the European Union was the largest donor of world humanitarian aid, providing more than 50 per cent of all such assistance. His organization tried to represent the human face of Europe and save lives and, since its creation six years earlier, it had become an important actor on the humanitarian scene. Its budget was less than 1 per cent of the Community budget, but was nonetheless significant, accounting for some 25 per cent of all world humanitarian aid. Europeans, and his Office, in particular, had an obligation to manage those resources as efficiently and transparently as possible. Not only were they accountable to taxpayers, but efficiency in humanitarian aid was also measured in terms of lives saved and suffering alleviated. In addition, humanitarian aid had considerable political impact. It had often been said that Europe was an economic giant, but a political dwarf, and perhaps that political impotence could be offset by a greater humanitarian role.

23. The world was changing for the worse, with civilians being used as human shields and as economic and strategic resources in conflicts and parties to conflicts becoming less the protectors and more the predators of civilians. Humanitarian aid was not a solution when dealing with the effects of political crises, which required political solutions. An example was Kosovo, where another humanitarian disaster was occurring. He wondered how much suffering would have to be endured until the authorities in Belgrade realized that only a political solution was possible.

24. UNHCR was his Office's largest partner by far and that partnership should be strengthened.

25. Mr. PROCHACKA (Observer for the Slovak Republic) said the number of migrants, mainly illegal, coming to Central Europe from Balkan, Asian and some African countries was growing. The ultimate goal for many of them was western Europe. Consequently, the implementation of the changes envisaged in the Schengen/Dublin approach, which should contribute to better management of migrant and refugee flows in Europe, required consideration of the question of burden-sharing among European countries and regions. His Government would participate in burden-sharing in the asylum procedure, as well as in assistance to refugees. It was prepared to take its share of responsibility in accordance with the 1951 Convention and the 1967 Protocol, which were the basis for the national Refugee Act that had been in force since 1996. The amendment to the Refugee Act and its updating, particularly with regard to access to the asylum procedure by foreigners crossing the border illegally, was being prepared in cooperation with the UNHCR Liaison Office in Bratislava.

The experience of the Slovak Republic confirmed the growing trend of abuses of the right to asylum by illegal migrants trying to transit the country on their way to western Europe. That was another reason why his Government was trying to adapt its procedures in order to provide protection to those in real need and to identify those who tried to misuse the institution of asylum.

26. At present, the Migration Office of the Ministry of the Interior provided adequate social and health care to all applicants for refugee status. His Government emphasized the local integration of those with recognized refugee status. Thanks to the support of UNHCR and local NGOs, projects providing grants for the reconstruction of accommodations for refugees in various parts of the country had been carried out since 1996 in the framework of the Government Programme of Complex Integration of Refugees. That Programme, together with the system of refugee status determination for persecuted persons, was fully comparable with the systems used in the developed countries of western Europe and the Slovak Republic planned to continue with that type of activity in cooperation with UNHCR. Aware of the important role of UNHCR in solving problems concerning the reception of and assistance to refugees, his Government had provided the UNHCR Liaison Office with a new office building in the centre of the capital in early 1998. Reconstruction and rental costs were being paid by the Government.

27. Mr. TANDAR (Observer for Afghanistan) said that, other than in the case of natural disasters, the root causes of refugee flows included foreseeable military acts, foreign intervention, social and economic injustice in the design, planning and implementation of development plans and projects in various fields, cultural and administrative policies, poor administration of justice, oppression and human rights violations. The international community had adequate instruments of analysis and observation at its disposal to predict large-scale humanitarian disasters. The question was whether the political will existed at the international level to put an end to those situations. Regrettably, that will was often lacking. Ways and means leading to the exercise of international solidarity and to the solution to the problem therefore had to be considered.

28. In many cases, political conditions in the countries of origin were the major obstacle to the return of refugees. The problem was primarily one of human rights violations. Such situations required political, diplomatic and economic pressure by the international community to put an end to the mass exodus of populations and allow them to return to their countries of origin. Partiality was, however, the rule in that regard. There were numerous examples of double standards. The economic, strategic and political interests of countries that could well be efficient in specific cases dominated the expression of humanitarian solidarity for the return of refugees.

29. The Taliban in Afghanistan and the States providing them with support were a perfect example of how the systematic violation of human rights prevented the return of refugees to their country of origin. The overview of UNHCR activities 1997-1999 (A/AC.96/900) not only described that situation, but clearly contradicted the fallacious pretension of those supporting the Taliban that, thanks to their protection, security had been restored to Afghanistan. According to paragraph 344, involuntary movements of displaced persons and new refugees, and the violations of basic human rights, especially

those of women and girls, were some of UNHCR's main preoccupations in the country. In 1997, some 87,000 Afghan refugees in Pakistan had returned. He wished to be certain that that figure did not include persons who had been armed and trained to fight with the Taliban and who had been tempted to benefit from aid upon their return. Unfortunately, the report did not specify the number of new refugees.

30. According to paragraph 347, the returns of Afghan refugees to their country from Iran had declined significantly since 1996. Following the recent occupation by the Taliban of territories in the northern and central parts of Afghanistan, a considerable number of people had taken refuge in Iran and there was reason to fear that the ethnic cleansing policy of the Taliban might provoke the exodus of even more people.

31. He drew attention to the misery and distress of the Afghan refugees, especially in recent years. They were living in total destitution and despair and his Government was not unaware of the burden represented by the presence of 2.3 million Afghan refugees in Iran and Pakistan. It had learned with great concern that the Government of Pakistan had recently closed six educational institutions, including universities, which had, on the initiative of Afghan refugees and thanks to international donations, been giving courses to Afghan refugees. He called on the Government of Pakistan, which had been hosting a large number of Afghan refugees on its territory for so many years, to reverse that decision, which was completely unjustified. At a time when the Taliban were prohibiting all education, particularly for women and girls, the continued activities of those educational institutions were of great importance for the post-Taliban period in Afghanistan, which he hoped would be soon. Furthermore, those institutions employed many women teachers and gave courses to girls.

32. The return of Afghan refugees to their country lay largely in the hands of the international community; active and well-targeted solidarity could shorten the period of exile. While material aid for refugees should be continued and strengthened, strong political, diplomatic and economic pressure also had to be brought to bear on the very small number of countries providing massive support to the Taliban in order to induce them to accept the principle of political discussion, put an end to the conflict and respect international law in the field of human rights, particularly the rights of women and girls. There was no military solution to the conflict in Afghanistan and military victories were mere illusions. Only the restoration, recognition and enforcement of the law could guarantee the Afghan people a future of peace and enable the Afghan refugees to return to their country under conditions of dignity and respect.

33. Mr. NAHAYO (Observer for Burundi) congratulated the High Commissioner on her re-election and offered his condolences to UNHCR for the staff members killed in a recent air accident, particular Pierce Gerety, Director of Operations for the Great Lakes region.

34. Burundi had been hosting refugees since 1959 as a result of periodic unrest in the Great Lakes region and other parts of Africa and was well aware of the burden they represented for host countries. It had therefore initiated a voluntary repatriation policy for Burundian refugees abroad, a policy that

had unfortunately been undermined by the social and political crisis that had broken out in Burundi in late 1993 and the subsequent crises in the Great Lakes region which had led to a further and continuing inflow of refugees into Burundi. He thanked UNHCR, the International Committee of the Red Cross (ICRC) and all other bodies for their assistance to Burundi in dealing with refugees and displaced persons.

35. Since 1997, the Government, in cooperation with UNHCR and the United Republic of Tanzania, had been examining the question of providing facilities for voluntary returnees, thereby lessening the international burden through a policy of solidarity. The Government deplored the fact that the voluntary returnees had been infiltrated by armed individuals who were a source of renewed insecurity and were creating new refugees. Burundi thanked UNHCR for assisting the Tanzanian authorities in protecting refugee camps against militarization by rebels, but it would like to see firmer action to maintain security and preserve the dignity of refugees.

36. UNHCR and other humanitarian organizations were actively assisting the Government in the settlement and integration of returnees. But, while the embargo imposed on Burundi by the countries of the region remained in place, humanitarian action would prove inadequate because, in addition to the returnees, there were over 250,000 displaced persons to attend to. The international community had a duty to persuade neighbouring countries that it was time to lift the embargo, especially since the final condition for its termination, the opening of negotiations with the rebels, had been met. The third round of talks was due to open in Arusha, United Republic of Tanzania, on 12 October. The Government trusted that the negotiations would lay the basis for stability and hence for the reintegration of returnees and displaced persons.

37. U DENZIL ABEL (Observer for Myanmar) said that remarks made about Myanmar by a number of representatives of members of the Executive Committee at the current session displayed a lack of understanding of the true nature of the circumstances. The overwhelming majority of persons who had crossed the eastern border over the years were economic migrants looking for better job opportunities and higher wages. In recent months, many of them had voluntarily returned to Myanmar because their expectations had not been met. A minority of those who crossed the eastern border were remnants of the Karen National Union (KNU), many of whose former members had accepted the Government's peace offers and returned to the country. Those offers of peace and reconciliation still stood. With regard to the advice offered by some members of the Executive Committee on how UNHCR should interact with the authorities in the east of the country, the Myanmar authorities themselves were best placed to understand the circumstances prevailing in those areas.

38. With regard to migrants on the western border, the existence of haphazard and often illegal cross-border population movements was a well-known historical fact. People crossed the border in both directions in search of seasonal employment or to visit relatives and friends. As a result of cooperation with UNHCR and its neighbour to the west, 229,392 persons had returned to Myanmar between September 1992 and August 1997. The remaining 7,000 persons who had been verified for acceptance had been unable to return for reasons beyond the control of the Myanmar authorities, although the date

of closure of the reception facilities had been extended time and time again, an expensive exercise in terms of manpower and financial and material resources. The Myanmar authorities had informed their counterparts that further returns could be accomplished through bilateral diplomatic channels.

39. He wished the High Commissioner continued success in her work and pledged his country's full cooperation.

40. Mr. NAZARIAN (Armenia) said that Armenia bore the consequences of the conflict in the Transcaucasus region by hosting more than 300,000 refugees who had fled from Azerbaijan and Nagorny Karabakh. Their living conditions were still precarious despite the Armenian Government's ongoing efforts and numerous decrees and decisions recently adopted to establish a legal basis for their resettlement. Refugees had been granted the right to own private land and livestock and to hold shares and privatization vouchers. Retired refugees received pensions and benefited from a system of subsidies and allocations. The Government was implementing follow-up action to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States. With the help of UNHCR, Armenia had initiated a programme of voluntary repatriation of refugees, providing assistance to alleviate economic hardship. Armenia welcomed the continuing joint efforts by UNHCR, the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe (OSCE) on behalf of refugees in the region.

41. The statement made by the representative of Azerbaijan at the previous meeting bore no relationship to the Executive Committee's annual theme and consisted entirely of political propaganda, exaggerated facts and fictitious figures which contradicted those cited in UNHCR and other official reports, resolutions and documents. Such statements created confusion in the international community and among donor countries and organizations, making them reluctant to contribute effectively to programmes on behalf of refugees and internally displaced persons in Armenia and the entire Caucasian region.

42. It was for the authorities in Azerbaijan and Nagorny Karabakh to negotiate a peaceful settlement of the Nagorny Karabakh issue with the assistance of OSCE mediators. Despite the ceasefire that had been in force since 1994, Azerbaijan continued to refer to a "conflict situation" and an "undeclared war zone", distorting reality and creating artificial obstacles to the satisfactory resolution of refugee problems. The Armenian Government had already paid the equivalent of US$ 110 million to Azerbaijani refugees in compensation for loss of property in Armenia. No comparable action had been taken by the Azerbaijani Government to compensate the 340,000 Armenian refugees who had been forced to leave the country 10 years previously. A serious effort by the Azerbaijani Government in that direction would demonstrate its commitment to burden-sharing and to national, regional and international solidarity arrangements for refugees.

43. Mr. RUAS MANUEL (Observer for Angola) congratulated the High Commissioner on her re-election.

44. The peace process in Angola had been paralysed for a number of months because of the dilatory manoeuvres of Jonas Savimbi, who had failed to fulfil the obligations he had assumed under the Lusaka Protocol which had been adopted four years previously and which set out the principles and legal instruments for the establishment of peace and the free movement of people and goods throughout Angola. Jonas Savimbi's delaying tactics were designed to give him time to reorganize and re-equip his military forces. In June 1998, the National Union for the Total Independence of Angola (UNITA) had regained control of a number of localities that had been transferred to the State administration. UNITA's strengthened positions vis-à-vis the Government, observer countries and the United Nations clearly demonstrated that it no longer considered the Lusaka Protocol as the legal instrument for the restoration of peace in Angola.

45. The Government had been obliged to divert substantial resources to ensure the security of the population and had therefore been unable to meet certain commitments, including its contribution to UNHCR, when they had fallen due.

46. The Government had launched a programme of repatriation and reintegration of Angolan refugees in 1995. Some 118,000 refugees had returned to date. With a view to reintegrating them into their communities of origin, most of which had been severely affected by the war, support was provided both to returning families and to the communities concerned. UNHCR had assisted in the rehabilitation of basic infrastructure in the areas with the largest number of returnees. Over 100 quick impact projects had been completed, including the rehabilitation of health facilities, schools and roads. However, the success of the programme depended on the restoration of peace in Angola and the Government was doing its utmost to achieve that aim as soon as possible.

47. Mr. THLOMELAND (South Africa) congratulated the High Commissioner on her re-election and assured her of South Africa's continuing support. South Africa thanked UNHCR for its untiring efforts on behalf of refugees in Africa and elsewhere and was grateful to the Governments and taxpayers of the donor community. The contribution of developing countries that hosted large numbers of refugees for long periods, while harder to quantify, was infinitely more valuable in terms of refugee protection and should be recognized as such.

48. South Africa was faced with composite flows of asylum-seekers and high levels of abuse of asylum procedures. Thousands of refugees, mainly from Angola, Burundi, Rwanda, Somalia and the Democratic Republic of the Congo, had been granted asylum since the end of apartheid. The improved refugee status determination procedures proposed in draft legislation currently before Parliament would speed up work on the huge backlog of asylum applications.

49. South Africa was grateful for ongoing UNHCR assistance in national refugee policy formulation. The comprehensive new system of refugee protection was built on an understanding of the important role of civil society, not only in assisting asylum-seekers to attain self-sufficiency and local integration, but also in raising public awareness as a bulwark against intolerance of foreigners.

50. He also commended UNHCR's contribution to regional refugee policy harmonization and capacity-building. Such problems as irregular migration, composite flows and abuse of the asylum system could be addressed adequately only on a regional basis. In that connection, he welcomed the establishment of a UNHCR regional refugee database.

51. With regard to the annual theme, the need for the equitable distribution of responsibility for refugees had been eloquently expressed, but very few practical solutions had been proposed. If they were to have any chance of success, burden-sharing arrangements should be built on existing regional foundations and draw on the experience gained in earlier ad hoc arrangements. He feared that the absorption capacity of host and resettlement countries as well as the generosity of the donor community were finite. Any proposal for a comprehensive international burden-sharing arrangement would therefore have to be carefully constructed, taking into account existing resource limitations and political constraints.

52. Burden-sharing seemed to mean different things to different people. Developing countries, particularly countries of first asylum, argued for retroactive burden-sharing and the reallocation of resources to assist them in dealing with the impact of their long-term hospitality. The countries of the North seemed to be prepared to work on burden-sharing arrangements as a mechanism to deal with future mass outflows of refugees. The two approaches were not necessarily irreconcilable. He welcomed UNHCR's information note on the subject (A/AC.96/904) and its willingness to be of service in probing the matter further. He also commended the comprehensive study on burden-sharing undertaken by the States involved in the Intergovernmental Consultations (IGC) and the follow-up thereto coordinated by the Government of Denmark.

53. South Africa would strongly support any attempt to quantify, even in a rudimentary and flawed manner, the per capita cost implications for countries hosting large numbers of refugees. A formal listing of host country contributions, both in cash and in kind, would accord host countries the recognition they deserved and enable developing countries to use such data in debt relief and development aid procurement efforts. Recognition of host-country contributions would also correct the existing perception that UNHCR was unduly donor-driven. The data thus collected should be used by UNHCR as a catalyst to involve other actors in the development sphere in the task of dealing with the adverse economic, social and political impact of large-scale refugee inflows on developing countries.

54. The efforts of the international community were inadequately focused on the root causes of conflict and mass displacement, which included abject poverty and lack of social and economic development. Investment by the international community in social development in countries of origin, including capacity-building and the establishment of a human rights culture, was the most cost-effective way of preventing mass outflows. South Africa was prepared to play a constructive role in that regard.

55. The international community could also do more to assist refugee-hosting development countries by, for example, accepting additional refugees within the framework of resettlement programmes.

56. South Africa would appreciate a renewed commitment by the international community to the principles of non-refoulement and safe return. Respect for the institution of asylum and non-restrictive asylum policies were essential ingredients of burden-sharing.

57. Universal accession to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees was a fundamental building-block of any burden-sharing regime. Exceptions thereto impeded international efforts to have full protective practice accepted by all States.

58. South Africa reiterated its pledge to contribute as best it could and within its limited means to the work of UNHCR.

59. Mr. MUKARO (Zimbabwe) said that burden-sharing was already in place at the national level in Zimbabwe, with the Government collaborating with non-governmental organizations and churches in dealing with refugee problems. There was also a will to collaborate at the regional level and the Southern African Development Community (SADC) had attempted, through diplomatic and other means, to prevent conflict from escalating and to ensure peace and stability in order to prevent refugee flows.

60. Owing to their geographical position, some countries received more refugees than others. He wondered whether the countries nearest to refugees' countries of origin should be expected to bear all the responsibility for displaced persons. He believed that the principle of first country of asylum should not be strictly enforced, as some countries would be overwhelmed by refugees, and that, at the regional level, countries should share the burden as much as possible. On the other hand, refugees should not have to move too far from their own countries, in order to facilitate repatriation. In addition, regional assistance should be directed to countries bearing more than their fair share of the burden.

61. Support for UNHCR took the form of funds to UNHCR or asylum granted to refugees. Although it was sometimes not appreciated that most developing countries' contribution took the latter form, it was a significant contribution. Developing countries were prepared to grant asylum provided that the burden on their economies was not too great and assistance was forthcoming from UNHCR, which in turn was funded by member States. International support was necessary for such countries, which otherwise risked overstretching resources that might be meagre even for their own nationals, a situation that could pose a threat to the institution of asylum, since, once asylum had been granted, the State had an obligation to care for refugees.

62. The restructuring of UNHCR operations in Zimbabwe and the surrounding region, combined with diminishing resources, had led to a failure to provide refugees with the same levels of assistance as they had received in the past, which had prompted demonstrations at UNHCR offices. He requested UNHCR to redress the situation urgently and ensure that the refugees were adequately catered for. There was a feeling among the refugees that countries with economic difficulties were unable to support them adequately and they were demanding resettlement in countries with healthier economies. That was a solution to be avoided, since such an influx of refugees would overwhelm the more developed developing countries.

63. Mr. MOUNTAIN (Office for the Coordination of Humanitarian Affairs) thanked the High Commissioner for her words of appreciation for the work of the Emergency Relief Coordinator. UNHCR and OCHA cooperated successfully in many areas. As a key operational agency on the ground, UNHCR had benefited from the "humanitarian diplomacy" of OCHA when negotiating access to victims and the crucial work of UNHCR on protection was often complemented by the advocacy of OCHA, one of whose continuing priorities was to keep humanitarian issues on the international political agenda.

64. The first Humanitarian Segment of the Economic and Social Council, held in July, had clearly indicated the direction that member States believed efforts on behalf of the millions of refugees and displaced persons worldwide should take. Firstly, it had been emphasized that humanitarian activities should be seen in the context of peacekeeping and political development initiatives and agencies had been urged to further improve their coordination in the field and at headquarters. In that regard, the Inter-Agency Standing Committee (IASC) provided a forum for discussion and decisions on key policy issues, while, at the field level, OCHA provided support for the resident and humanitarian coordinators through field coordination units and disaster management teams. The inter-agency process was thus a tangible reality in the planning and delivery of humanitarian aid. Coordination required a strategic framework and he believed that the Consolidated Appeal Process (CAP) would prove an effective strategic programming tool at the country and regional levels. Operational agencies' commitment to using and improving CAP was crucial and he expressed his appreciation for UNHCR involvement in the IASC subcommittee on CAP.

65. Secondly, the Economic and Social Council had urged agencies to enhance local capacity in emergency and disaster response and to utilize existing capacity in developing countries that might be available closer to a disaster site and cost less, thereby making it easier for countries to move on to reconstruction and resume development. OCHA was willing to assist in that area, which represented a major challenge for all the humanitarian agencies.

66. Lastly, he recalled that the prime function of OCHA Geneva was to work with its partners to ensure that the United Nations response to the plight of the victims of manmade and natural disasters was as effective as possible and he expressed his appreciation for the excellent collaboration of UNHCR in that work.

67. Mr. EL SAYED (Organization of African Unity) said that it was time to reaffirm the commitment to eradicate the root causes of displacement and to provide refugees with adequate protection and assistance. The Executive Committee should call on the international community to increase its assistance to asylum countries in a spirit of burden-sharing, in order to help them to cope with the social, economic and environmental consequences of hosting refugees. A comprehensive approach to the problem was necessary. Large influxes of refugees impeded economic and social development, undermined the already fragile social order, profoundly affected the natural environment and compelled nations to share scarce resources. African countries had thus far shown real hospitality, but he was afraid that the continuous flow of refugees might lead to confrontation with nationals of those countries. In addition, some countries might wish to take undesirable political measures,

including the forced repatriation of refugees. Such action would be partly a result of the donor fatigue that had become noticeable in recent years and he urged the international community to consider providing adequate assistance to refugees.

68. With 6 million refugees, or around one third of the overall total, Africa had the greatest number of refugees in the world. In addition, there were more than 15 million internally displaced persons, some of whom lived in very miserable conditions that were worse than those of refugees, since they did not receive the same attention from the international community. OAU believed that they, too, should benefit from relief and humanitarian assistance. The situation of refugees in Africa had not improved much in the last year, despite positive political developments that had encouraged voluntary repatriation. Armed conflicts and political violence, frequently rooted in ethnic tensions and exacerbated by poverty and social inequities, had kept the number of refugees and displaced persons very high and virtually unchanged. Increased humanitarian assistance was urgently required while waiting for decision makers to find political solutions.

69. OAU had for some time been very concerned at the turmoil in central Africa, which was taking innocent lives and destroying the infrastructure, seriously hampering development in both the region and the continent. In April and May, the OAU Commission on Refugees had visited countries in the northern and central areas of west Africa and given them a token amount to help alleviate the sufferings of refugees and displaced persons there. Missions were also due to visit other parts of Africa in the near future.

70. He expressed appreciation for the cooperation of UNHCR with OAU and for the operational logistical support UNHCR had provided to OAU in the field. Such links should be strengthened in order to enable UNHCR to provide more effective support for African efforts to resolve conflicts. It was in the framework of such cooperation that OAU and UNHCR had organized a regional meeting in Kampala, Uganda, on 8-9 May 1998, on refugee issues in the Great Lakes region, which had discussed refugee protection and security, return and reintegration and the rehabilitation of areas affected by refugees.

71. In the face of a continuing refugee crisis in Africa, the May 1997 meeting of the OAU Council of Ministers in Harare, Zimbabwe, had requested the Commission on Refugees to collaborate with UNHCR in convening a ministerial meeting on refugees and displaced persons. Preparations were now under way for that meeting, which was due to be held in Khartoum, Sudan, in December 1998, and all regional and subregional organizations and non-governmental organizations were invited to attend. The findings and recommendations of the Khartoum Ministerial Conference on Refugees would be adopted by the OAU summit in Algeria in June 1999, the thirtieth anniversary of both the Commission on Refugees and the beginning of UNHCR-OAU cooperation.

72. Lastly, he extended profound condolences on behalf of OAU to the families and friends of those UNHCR staff who had lost their lives in the crash of Swissair flight 111. Special condolences went to the family and friends of Mr. Pierce Gerety, and he paid tribute to Mr. Gerety for his

tireless work to find solutions to the problem of refugees in the Great Lakes region. He also expressed respect and appreciation for the staff of UNHCR, who frequently had to work in very difficult circumstances, and he called for the immediate release of Mr. Vincent Cochetel.

73. Ms. TESFAMICHAEL (Eritrea), speaking in exercise of the right of reply, said that there was reliable third party documentation from, inter alia, the Government of the United States, the United Nations Secretary-General, the United Nations High Commissioner for Human Rights, the International Committee of the Red Cross and Amnesty International of the mass expulsion and arbitrary detention of Eritreans in Ethiopia and of forcible separation of families. Her Government invited UNHCR and any other interested Government or international organization to verify the facts in that documentation or on the ground.

74. The Government of Eritrea was inside its internationally recognized borders and it was Ethiopia which had drawn a new mark in 1997 incorporating a large swath of Eritrean land. Ethiopia had killed members of Eritrea's armed forces and civilian population without provocation.

75. The Government believed the conflict could be solved only by peaceful and legal means and, to that end, had put forward a workable peace proposal. The Ethiopian Government had, however, ignored the proposal and had announced that it had completed its preparations for war.

76. Only a few hours previously, it had been reported that 138 Eritreans, including women and children, had been dumped on the border with Djibouti. Nothing could be gained by the use of force and violence, which would only result in unnecessary suffering, loss of life and destruction. Eritrea had consistently been committed to a search for a peaceful and legal solution. If the situation deteriorated, Ethiopia would bear full responsibility.

The meeting rose at 5.25 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-ninth session

SUMMARY RECORD OF THE 531st MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 8 October 1998, at 10 a.m.

Chairman: Mr. PEREZ-HERNANDEZ Y TORRA (Spain)
(Vice-Chairman)

later: Mr. RODRIGUEZ CEDEÑO (Venezuela)
(Chairman)

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GE.98-03353 (E)

The meeting was called to order at 10.10 a.m.

ANNUAL THEME: INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN ALL ITS ASPECTS: NATIONAL, REGIONAL AND INTERNATIONAL RESPONSIBILITIES FOR REFUGEES (agenda item 4) (continued) (A/AC.96/904)

1. Ms. GEGA (Observer for Albania) drew the Committee's attention to the situation in Kosovo, where the Belgrade authorities continued to defy and disregard not only the decisions and resolutions of the major international organizations, but also their increasing pressure and threats of military intervention. On the pretext of fighting so-called Albanian "terrorists", the Serbian Government was implementing a policy of ethnic cleansing. It was clear to all that the Kosovo conflict, which was beginning to have disastrous consequences, demanded a political solution. The delegation of Albania thanked Mrs. Ogata for her personal involvement in resolving the humanitarian aspect of the crisis and supported her request for the Governments of European countries to keep their doors open to asylum-seekers from that region. Albania supported the proposal to convene a special international conference on the Kosovo refugee problem and thanked the Governments of all those countries that had decided to increase their assistance to the population of Kosovo.

2. Despite the severe difficulties they were facing, the Government and people of Albania had thus far received and given shelter to 20,000 refugees from Kosovo, something they would not have been able to do without the multilateral and bilateral cooperation arranged with various international humanitarian organizations, such as UNHCR, the International Committee of the Red Cross (ICRC), the World Food Programme (WFP), UNICEF and Médecins sans frontières, as well as with the Governments of many countries. The Government of Albania had adopted a series of emergency measures consisting basically in taking a census of the refugees and issuing them with identity cards, providing necessary food and health aid, and creating suitable conditions for the establishment of mass reception centres that were expected to deal with around 8,000 people by the end of the year. Thanks to UNHCR funding, it should be possible to meet the most urgent needs throughout the winter. Special medical care was being provided for women, children and older persons, who made up the majority of the refugees, and arrangements had been made for enrolling the children in school. Albania's recent experience in refugee reception and settlement and in solving the problems presented by mass inflows showed how important and essential international solidarity and cooperation were.

3. Mr. EL KHAZEN (Lebanon) said that the presence of a large number of refugees in his country was having an adverse effect on the reconstruction process and the restoration of civil peace, since, under the Lebanese Constitution, Palestinians were strictly forbidden to settle permanently in the country. For the majority of refugees of Palestinian extraction, then, a solution could come only from regional peace negotiations and the implementation of the resolutions adopted by the international community to the effect that Palestinian refugees should be resettled in Palestine and in the occupied territories.

4. The Government of Lebanon recognized that Palestinian refugees were the responsibility of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), but considered that UNHCR should help to provide assistance to the many other refugees in the country, and it called on the international community to share some of Lebanon's burden until the refugees could return home voluntarily.

5. He welcomed the increase in the level of UNHCR's representation in Lebanon and hoped that it would soon be possible to re-establish a regional bureau; he also repeated Lebanon's request for Executive Committee decisions and resolutions to be translated into Arabic.

6. Mr. SCHLEIFFER (World Food Programme - WFP) said that WFP, which had a dual mandate to provide both emergency and development assistance, made a significant contribution to the reduction in the burden faced by countries hosting refugees. In 1997, it had spent around $900 million to meet the needs of nearly 30 million disaster victims, including 4 million refugees and 15 million persons displaced or affected by other man-made disasters, and had made $327 million available for development projects reaching some 24 million people. In many countries, WFP was implementing development programmes and emergency operations in collaboration with Governments, United Nations organizations and non-governmental organizations (NGOs). It contributed to the integration of returnees and helped them to become productive members of their society once more. In addition to providing food, WFP rehabilitation programmes could be geared towards rebuilding vital infrastructures and agricultural production systems, as had happened in several countries of southern Africa.

7. In order to be effective, a food aid programme should benefit from the knowledge gained in disaster prevention. WFP had for several years therefore given high priority to vulnerability analysis and mapping. In its concern at the continuing erosion of respect for international humanitarian law and human rights conventions, WFP appealed for unimpeded, safe access by humanitarian aid organizations to the victims of armed conflicts.

8. Mr. SCHATZER (International Organization for Migration - IOM) said that UNHCR and IOM were increasingly being invited to help Governments and individuals find durable solutions to problems whose causes, being basically political and economic, lay outside their sphere of influence. Interdependence among States and the fact that a growing number of countries were at once sending, transit and receiving States had made it more important to adopt regional solutions to migration problems. UNHCR and IOM had been asked to help in a number of regions, such as the Commonwealth of Independent States (CIS), where the two organizations had defined an agreed strategy.

9. In more general terms, UNHCR and IOM should consolidate and develop their partnership on the basis of the Memorandum of Understanding signed the year before and the consultations held annually since then. They had begun developing a package of solutions to enable countries to manage the consequences of displacement in a holistic way. The annual consultations had also given the two organizations an opportunity to explore some areas of potential overlap. They were preparing the 1999 appeal and planning a joint head of mission meeting in 1999 on strategies until the year 2000 and beyond.

10. In order to maintain and even increase the effectiveness of humanitarian aid, two sources of concern needed to be eliminated. The first was the safety and well-being of field staff, which the international community was making efforts to safeguard through concrete measures. The second was the funding of activities in support of the prevention or resolution of the conflicts that gave rise to population displacements, an area that depended on the international community's generosity.

11. Mr. Rodriguez Cedeño (Venezuela), the Chairman, resumed the Chair.

12. Mr. LADEKARL (International Council of Voluntary Agencies), noting with concern that a number of countries were deporting asylum-seekers to so-called "safe" areas or countries where their protection was seldom guaranteed, called on the Executive Committee to speak out strongly against the violation of the right to asylum. States should reinforce the international refugee instruments, which already provided a framework for the sharing of international responsibilities, rather than adopting measures that restricted the right to asylum. NGOs called on the countries that had not yet done so to ratify the Convention relating to the Status of Refugees and its Protocol and to adopt legislation protecting refugees and asylum-seekers by safeguarding the full range of rights referred to in the relevant international instruments, including the freedom of movement, the right to education and other key economic and social rights.

13. NGOs, concerned at the situation in Kosovo, called on European countries to grant asylum to refugees from the area and not send them back to Kosovo or the surrounding region. They also called for greater international cooperation in Tanzania, Liberia and Guinea in order to ensure the protection of refugees in those countries. They urged Liberia's neighbours to continue to keep their doors open to Liberian refugees and ensure that any repatriation was voluntary and carried out in conditions of safety and dignity. In the Caucasus, although the emergency phase was largely over, it was still necessary to continue to provide humanitarian assistance through international organizations and NGOs. In addition, States and international organizations, including UNHCR, should stimulate the emerging NGO sector in the CIS countries. He welcomed the Thai Government's request to UNHCR to step up its operations on the Myanmar border, but he stressed that UNHCR's involvement should not be confined to facilitating the repatriation of the refugees. The Rohingya refugees in Bangladesh and Myanmar continued to give cause for concern.

14. UNHCR's efforts to enhance the effectiveness of national NGOs and to relaunch the Partnership in Action (PARinAc) had NGOs' full support. He encouraged NGOs to continue to participate in the UNHCR Standing Committee meetings.

15. Mr. de BOICE (United Nations Development Programme - UNDP) said that the international community had made substantial progress in its understanding of the need for comprehensive, integrated approaches to the post-conflict reintegration of refugees. In Central America and Cambodia, for example, UNDP-funded development schemes had proved effective in facilitating the reintegration of returnees, internally displaced persons and ex-combatants. In a number of other countries, Liberia and Rwanda, for example, humanitarian

and development organizations had concluded cooperation agreements on the reintegration of refugees. In Rwanda, the UNHCR-UNDP cooperation programme, which WFP had recently also joined, was currently going through a difficult period, although an evaluation by the two organizations due shortly should make it possible to resolve the problems.

16. Building on those experiences, UNDP planned, over the next year, to implement a number of activities to enhance its collaboration with UNHCR, including: a comprehensive thematic evaluation of its work on reintegrating refugees, internally displaced persons and ex-combatants; completing and developing the mechanisms for the joint planning and programming of reintegration assistance; reinforcing regional-level and national-level management and oversight arrangements; and implementing a major staff-training programme.

17. Progress had also been made in other areas, including the establishment of new mechanisms for financing post-conflict reintegration programmes. UNDP's Executive Board had approved the use of 5 per cent of the organization's core resources for special programmes relating to the transition from relief to development. A special fund had also been set up to serve as an extrabudgetary window for resources directed towards multisectoral programmes for post-conflict reintegration. UNDP was also looking at the modalities for speeding up the round-table process with a view to facilitating the coordination of humanitarian responses and bolstering resource mobilization for post-conflict reintegration programmes.

18. The concept of burden-sharing implied a holistic approach and strong partnerships. The progress that had been made in certain countries would quickly evaporate if nothing was done in the areas of peace, security and human rights. Burden-sharing did not mean simply dividing up the work, but, rather, joining forces and providing mutual support. It was in that spirit that UNDP would seek to strengthen its operational cooperation with UNHCR at the global level.

19. Ms. AHLUWALIA (International Federation of Red Cross and Red Crescent Societies) said that, in recent years, the scope and complexity of humanitarian problems had increased. Conflicts were now primarily internal and had an ethnic and religious dimension that hindered the application of international norms. The mixing of those who had committed crimes and their victims created serious problems for humanitarian organizations, which did not find it easy to remain neutral and impartial. Nevertheless, neutrality and impartiality were two concepts that were fundamental for the action of the Federation and its members.

20. For the past six years, the Federation had been working with UNHCR to support the largest refugee population in Europe, which currently amounted to 550,000 persons. The needs of that very vulnerable group had, however, been somewhat eclipsed as the international community's attention had been focused, understandably, on the emergency in Kosovo and the hardships of those displaced as a result of that conflict. The Federation called on the international community to continue to provide humanitarian assistance to both Albanians and Serbs in the Federal Republic of Yugoslavia.

21. The notion of international solidarity and burden-sharing should encompass a wide range of concerns, including refugee protection, humanitarian aid and the prevention and resolution of conflicts by economic and political means. Governments had an important part to play in that respect, as did national Red Cross societies, particularly with regard to the protection of the fundamental rights of refugees, internally displaced persons and returnees, and with regard to national reconciliation and confidence-building. She also welcomed UNHCR's efforts to promote collaboration among the competent United Nations bodies and the World Bank on bridging the gap between humanitarian aid and development assistance.

22. With regard to the right of asylum, the cornerstone of refugee protection, the Federation had communicated to the European Union its concerns about the long-term repercussions of the protocol to the Treaty of Amsterdam. It was also concerned at the tendency to disregard international humanitarian law and human rights instruments and at the attacks that were frequently aimed at humanitarian aid workers.

23. Mr. MARUME (Democratic Republic of the Congo) thanked UNHCR for its courageous action in dealing with the traumatic situation arising from the unprecedented mass influx of Rwandan refugees into the east of the country in 1994. The people of Kivu had particularly appreciated Mrs. Ogata's initiatives, although they should have been accompanied by reconstruction and rehabilitation measures in the province, which had been devastated by the presence of a large number of refugees.

24. Unfortunately, the Democratic Republic of the Congo had not been rewarded for its hospitality. Since 1996, the Rwandan army had destroyed several refugee camps in defiance of the rules of international law. The punitive actions carried out by the Rwandan army on Congolese territory were illegal and called for a strong reaction on the part of the international community, if necessary in the form of military intervention under a mandate of the United Nations Security Council. The firm approach currently being taken in the Kosovo crisis should also be taken to such armies "without borders" belonging to no State and apparently serving obscure interests. The international community must not allow a group of leaders, lacking any mandate, to provoke wars that sowed death and brought about massive population displacements. UNHCR reported 20,000 displaced persons for Kivu province alone.

25. The Democratic Republic of the Congo, aware of the complexity of refugees' problems, had always worked with UNHCR to promote the voluntary repatriation of Rwandan refugees. However, the Rwandan Government had never observed nor implemented the tripartite agreements it had signed with UNHCR and the Congolese Government. Each party therefore had to shoulder its own responsibilities. The international community should call on all the parties involved, including Rwanda, to stop interfering in other countries' affairs. The Congolese Government desired peace in order to begin reconstructing the country and was determined not to allow itself to be bullied.

26. The CHAIRMAN, summing up the debate on agenda item 4, said that all the speakers had welcomed the relevance of the theme of the current session, even though international solidarity and burden-sharing were not new concepts.

Everyone had tried to address four main questions: (a) Why was burden-sharing necessary? (b) What needs and responsibilities would burden-sharing meet? (c) Who should participate in burden-sharing? (d) To what extent should burden-sharing be systematized?

27. With regard to the first question, there had been consensus on the fact that the complexity and magnitude of current refugee problems were beyond the resources and response capacity of any single nation or organization. With regard to the second question, many delegations had noted that the international community must promote and implement the humanitarian principles of the right to asylum, non-refoulement, family unity, voluntary repatriation in conditions of safety and dignity, and reintegration. They had also noted that developing countries, which bore a disproportionate share of the burden of hosting refugees and reintegrating returnees, required multifaceted support from the international community. There had been virtually unanimous agreement that humanitarian assistance could not be a substitute for political solutions. By contributing to peace, security and human development, humanitarian and development organizations, with the support of member States, could prevent the crises that triggered the forced displacement of populations.

28. With regard to the third question, there had been consensus on the fact that the implementation of the principle of international solidarity and burden-sharing was the responsibility of the international community as a whole: member States, United Nations agencies, intergovernmental organizations, regional bodies, NGOs and civil society. Whatever their roles, the principle rested primarily on partnership, and inter-organization cooperation was therefore of fundamental importance.

29. Lastly, with regard to the fourth question, numerous speakers had welcomed the regional initiatives in various parts of the world and acknowledged the role of regional bodies in promoting regional or subregional mechanisms for coordinated burden-sharing. Mechanisms at the global level had been thought more difficult to set up. A number of delegations had requested UNHCR to coordinate its activities more closely with those of NGOs and its other partners.

30. The majority of speakers, noting that the implementation of the principle of international solidarity and burden-sharing was a complex process, had shared their concerns relating to the security of humanitarian personnel and civilian populations, the future of the asylum system in view of currently emerging restrictionist policies, illegal immigration, the need to separate genuine refugees from combatants, donor fatigue, the continuing problems caused by landmines, small arms proliferation and human trafficking and, lastly, the coordination of humanitarian action.

REPORTS ON THE WORK OF THE STANDING COMMITTEE (agenda item 5)

(a) INTERNATIONAL ACTION (A/AC.96/899, 903, 905 to 907 and 909)

31. Mr. McNAMARA (Director, Division of International Protection of UNHCR), recalling the systematic dialogue with Executive Committee member States begun in early 1998 with the aim of reinvigorating support for the international

refugee protection system, emphasized that the countries consulted thus far had overwhelmingly welcomed the initiative. Governments had been particularly emphatic in their support for the preservation and strengthening of the Convention relating to the Status of Refugees and its Protocol, as well as for the development of regional arrangements complementing the Convention and Protocol without "deinternationalizing" the issue. The States that were most exposed to refugee movements had felt that the contribution made by host countries was not properly valued, even within the Executive Committee. A number of Governments had expressed concern at the approach taken in the process of formulating the conclusions on protection. In line with the recommendations that had been made, there were plans to broaden the process to include other actors who gave concrete backing to the international protection system, such as NGOs, international financial institutions, the corporate sector, other United Nations agencies, the Red Cross and community organizations. As a result of the difficulties encountered in drafting the conclusions on protection at the preceding session, some thought had been given to ways of refocusing the debate and downplaying the polemics. It was to be hoped that the draft conclusions to be presented at the current session would improve refugee protection at the national level and strengthen UNHCR's ability to act.

32. The international refugee protection system was facing major challenges, the first being the tendency of some States to move gradually away from their legal obligations in the area. Refugee law rested on a number of non-negotiable safeguards that protected States as well as displaced persons. Recent calls for a relaxation, or even quite simply a renunciation, of States' obligations to deal with new influxes should be energetically resisted by the Committee, which should, at the same time, continue to focus on more long-standing concerns such as refugee security. Whether it was a question of persecuted groups in Kosovo, Sudanese refugees forced to leave the Democratic Republic of the Congo, refugees placed in detention or women and children subjected to serious human rights violations in refugee camps, the fact was that the problem had still not been resolved. Perhaps the establishment of an ad hoc group drawn from representatives of the concerned bodies and some States would make real progress possible in that area. The protection of internally displaced persons, whether in Kosovo, Georgia, Sierra Leone or Colombia, was also still a major concern. The gaps that remained in that area were a striking illustration of the limits of State responsibility and of humanitarian action. The question of excluding the perpetrators of genocide and other atrocities, which had been such an acute issue in the Great Lakes region, had also still not been resolved. Similarly, the location and demilitarization of camps, in western and central Africa, South-East Asia and elsewhere, depended on the establishment of a credible, operational security system on the ground. A dilemma had arisen with regard to efforts to establish minimum conditions for UNHCR involvement in repatriation to countries of origin, since a number of major refugee-producing countries did not meet those conditions.

33. Despite the problems, the history of the past 50 years had repeatedly shown the international refugee protection system based on repatriation or assimilation to be in many respects the most comprehensive and effective regime within the human rights protection system. It was therefore important to preserve it by strengthening its treaty basis. With that in mind, a global

promotional effort, to be undertaken over the following two years, was being proposed in order to encourage the States that had not yet done so to ratify the Convention relating to the Status of Refugees and the two Conventions on statelessness. Refugee protection, like human rights and humanitarian action, fell within the ethical agenda of the United Nations, which required the representatives of the United Nations system to exercise moral authority, States to take responsibility for solidarity and cooperation and non-governmental actors, including, if possible, the private sector, to support global action in order to resolve one of the main universal problems of the day.

34. Mr. HUHTANIEMI (Finland), assuring UNHCR of the strong support of the Finnish delegation in the area of protection, said that Finland considered the comprehensive approach the only possible way to address both the causes and consequences of the refugee crisis. The international community also had to be active in dealing with the crisis, especially since, as the High Commissioner had emphasized, humanitarian action could not be a substitute for political solutions. His delegation appreciated the fact that the links between refugee protection and human rights could finally be addressed. It had followed with keen interest the exchange of views on the human rights of women, children, indigenous peoples and minorities, which were the priority areas of Finland's human rights policy. Women and children constituted the silent majority of the refugee population and their special needs, both in asylum-seekers' camps and during integration, deserved greater attention from UNHCR. In that regard, his delegation welcomed the willingness shown by UNHCR to intensify its cooperation with human rights bodies.

35. The Standing Committee's discussions had once again focused on the crucial question of durable solutions. Voluntary repatriation appeared to be the best solution. Failing that, local integration was a solution that should be used whenever possible. Resettlement should be seen as a protection instrument to be applied as a last resort. For more than 10 years, Finland had received resettlement refugees, 10 to 15 per cent of whom were refugees with special needs, such as children and adolescents, persons with medical problems, survivors of violence or torture and older refugees, in addition to emergency cases. Family unification was an integral part of the programme and family members were received in addition to the resettlement quota. Despite the laudable initiatives taken by a number of African and Latin American countries, Finland considered the number of States receiving resettlement cases to be still too limited. In addition, it would be helpful if UNHCR showed greater transparency in drawing up the criteria for the submission of cases so that host countries would be in a better position to judge the need for resettlement. Resettlement opportunities should be needs-driven, not quota-driven. Lastly, he announced that Finland had decided to pledge Fmk 1 million to the trust fund for enhancing resettlement activities.

36. Ms. TAFT (United States of America) said that UNHCR on its own could not ensure the smooth operation of the protection system, which was the primary responsibility of States. In order to avert the threats to the system, Governments must reaffirm their support for UNHCR's mission and her delegation therefore urged those members of the Executive Committee which had not yet done so to ratify the Convention relating to the Status of Refugees and its 1967 Protocol. With regard to priority areas for the Government of the

United States of America in terms of refugee protection, the first point was the need to take further measures to ensure the civilian character of refugee camps. Experience had shown that it was essential to locate them at a reasonable distance from borders, to disarm armed elements, to separate military groups from civilian refugees and to deploy law enforcement units in order to safeguard security. Her delegation also emphasized that it was unacceptable for different standards to be applied to different refugee populations. The application of the same standards for all in terms of food, access to drinking water, shelter, health and education was one of the pillars of the refugee protection system. It was also essential to continue integrating the special protection needs of women and children into every UNHCR programme in order to combat more effectively the serious, widespread problem of sexual violence against those particularly vulnerable categories of refugees. The increase in acts of violence against humanitarian personnel around the world, as exemplified by the case of Vincent Cochetel, demonstrated an unacceptable erosion of respect for international humanitarian law. Lastly, her Government welcomed UNHCR's efforts to promote resettlement as an important instrument of refugee protection and encouraged UNHCR to work even more closely with the Office of the United Nations High Commissioner for Human Rights, with a view to taking stronger action to stop situations which caused refugee movements or prevented their repatriation.

37. Ms. LUND (Norway) said that integrating the promotion of human rights into the refugee protection system should open up new areas of cooperation such as early warning, training and information sharing. The delegation of Norway believed that the international protection of refugees must remain a priority and that the ratification of the Convention was therefore crucial, for example, to ensure the broader implementation of the refugee status determination criteria. In January 1998, the Norwegian Government had introduced more liberal guidelines, stating that victims of persecution on the grounds of gender or sexual orientation, as well as victims of persecution by non-State actors, would be considered as Convention refugees. It had also decided with regard to the burden of proof, that asylum-seekers should be given the benefit of the doubt more frequently in the assessment of claims for refugee status.

38. The Norwegian Government welcomed UNHCR's efforts to diversify resettlement opportunities, since it was preferable to resettle refugees in countries where the language and the culture were not very different from those of their home countries. Norway had decided to increase its annual resettlement quota by 50 per cent and was willing to consider seconding Norwegian personnel to UNHCR's resettlement activities. Her delegation nevertheless underlined the importance of States' obligation to readmit their own nationals, for, if it was not fulfilled, the institution of asylum, already under threat from the mingling of economic migrants with refugee flows, might be undermined in the long term. The protection of refugee children was of particular concern to the Norwegian Government, which was organizing an expert conference on the protection of children affected by conflict.

39. Ms. BEDLINGTON (Australia) said she believed that, as the Director of the Division of International Protection had just suggested, UNHCR should take the lead in urging those States that had not yet done so to sign the

1951 Convention and the 1967 Protocol, since that was the strongest international affirmation of a country's commitment to refugee protection and the granting of asylum.

40. The High Commissioner had expressed concern at the fact that some States had sought to reconcile protection and control in their domestic legislation. However, public opinion would continue to support the provision of protection or financial aid to refugees only if it was confident that the country was meeting its international obligations while managing migration, entry and stay and that could come only through open, informed debate where all points of view could be heard. Much attention had recently been focused on the detention of asylum-seekers in Australia, but it had to be understood that in fact in Australia very few asylum-seekers - only 189 of the 12,393 awaiting a decision at the end of June 1998 - were detained and detention was not arbitrary, but was imposed for breaking Australian immigration law by entering Australian territory without authorization. Furthermore, contrary to the allegations, such asylum-seekers were entitled to medical care and their right to access to a lawyer was guaranteed in law. Their detention was not unduly prolonged and UNHCR had unrestricted access to all detainees. The standards for detention in such cases were in full accordance with Australia's human rights obligations. The best interests of the children of detained asylum-seekers was taken into account, but the competent authorities believed that, in most cases, children's best interests were served by not taking them away from their parents even if they were in detention. Instead of making unfounded allegations, it would be better to focus on practices that really violated the provisions of conclusion 44 and give those wanting to discuss true breaches an opportunity to be heard. Australia looked forward with interest to the consultations with UNHCR on the draft revised guidelines on detention and was particularly interested in any ideas for alternatives to detention that would allow Australia to meet its migration management objectives. In that regard, States should begin collaborating to counter the exploitation of illegal migrants and asylum-seekers by traffickers.

41. Australia proposed that the theme of the next session should be "Strengthening partnerships to strengthen protection on the ground". Since the three previous themes had addressed largely conceptual issues, the time seemed to have come to focus on practice in the area of protection, in particular in view of the budget situation. The aim would be to find the best ways to meet protection challenges on the ground and to involve implementing partners, NGOs concerned with resettlement and various other multilateral humanitarian organizations.

42. Mr. LUNDING (Denmark) said he believed that international protection was such an important issue that it deserved a separate agenda item and not merely a sub-item and that the Note on International Protection should be debated by the Executive Committee in plenary and not by the Standing Committee.

43. The full and effective application of the 1951 Convention and the 1967 Protocol was of paramount importance in promoting international cooperation that would make it possible to respond to and solve refugee problems. States that had not yet done so, in particular those which were members of the Executive Committee, should accede to those instruments and implement their provisions. The Committee had adopted conclusions relating to

the application of the instruments, notably conclusions 8/1977 and 30/1983 on minimum standards and safeguards for refugee determination procedures. The application of those procedural rules was essential in order to carry out the burdensome task of distinguishing between persons in need of protection and those who did not need it or did not deserve it. In that regard, the return of persons not in need of international protection was essential if the integrity of the institution of asylum was to be preserved. The inability to return such persons worked as a "pull factor" for other would-be illegal migrants and led to a lack of confidence in and public support for the institution of asylum, thereby making it more difficult for States to provide international protection to persons who genuinely needed it. It was therefore essential that UNHCR should continue to cooperate in that regard with the States concerned and other relevant actors and that it should urge States to meet their obligation to readmit their own citizens and facilitate their return.

44. UNHCR's NGO partners had recently expressed concern that UNHCR's range of activities had broadened in recent years and that the Division of International Protection could be marginalized in the current reform process. Denmark believed, like the NGOs, that the Division should be given a leading role in making decisions on UNHCR's priorities, thereby safeguarding the consistency of protection practices at all levels.

45. Of the three basic durable solutions, voluntary repatriation remained the most desirable and resettlement should be explored only as a last resort, primarily when basic protection could not be provided in the country of first asylum. The annual theme was that of international solidarity and Denmark had advocated that more countries should offer resettlement opportunities; he had therefore been very pleased to learn that four countries - Burkina Faso, Benin, Argentina and Chile - had decided to offer resettlement on a regular basis or were considering it. Denmark encouraged other countries to follow their example.

46. Mr. JURKOVICH (Canada) said that Canada, recognizing the complementarity between refugee protection and respect for human rights, supported UNHCR in its efforts to integrate the two concepts, in collaboration with UNHCHR. Closer cooperation would make it possible to draw UNHCHR's attention to situations where it was justified in making a direct intervention and to call on its expertise. Canada supported the efforts of UNHCR and the international community to find durable solutions to refugee problems. In some circumstances, resettlement was the best solution; Canada was a world leader in that regard and was, moreover, in a position to offer resettlement opportunities to the victims of armed conflicts and human rights violations who found themselves grouped with refugees. Those categories included not only persons in a country of first asylum, but also internally displaced persons. Canada would also continue to offer programmes to refugees with special needs, such as women at risk. Canada encouraged all countries that were able to do so, to contribute to the resettlement effort and welcomed the fact that South Africa, Chile and Argentina were prepared to do so.

47. Canada encountered problems when sending asylum-seekers who had been denied refugee status back to certain countries and it would therefore support any measures, at the multilateral or bilateral levels, aimed at obtaining the

collaboration of all countries of origin in issuing travel documents to their nationals and facilitating their return, in accordance with their obligations. The large number of asylum-seekers arriving in Canada without identification was another cause for concern, for it raised the suspicion that many of them had been brought to Canada by professional traffickers and that could have an impact on the integrity of the refugee status determination system, as well as on public confidence and the security of host countries. States should therefore work together to prevent the improper use or the abuse of refugee determination procedures, although any control measures should continue to conform to the legal principles and standards on asylum and human rights contained in the relevant international instruments.

48. Canada took very seriously the question of family unity for refugees within the meaning of the Convention and was currently looking at a range of options to facilitate such unity; it encouraged other States to make every effort to remove the obstacles in the way of refugees' full integration into the host society.

49. Ms. NIELSEN (Switzerland) said that human rights violations were one of the root causes of refugee movements and that the Government of Switzerland welcomed the inclusion of that point in the 1998 conclusions on international protection. Given the persistence of massive human rights violations, it seemed important to emphasize that it was primarily the country of origin's responsibility to prevent population displacements. Her Government deplored the perilous situations in which large numbers of refugees found themselves after fleeing from their country of origin and she repeated that, while the countries of first asylum undoubtedly had a responsibility to ensure the protection of persons seeking refuge on their territory, UNHCR, too, had an explicit mandate to guarantee refugees' rights.

50. Population movements had become extremely complex and it was therefore increasingly difficult for the international community to find adequate responses. UNHCR's activities should focus on its principal mandate, namely, refugee protection. Despite the way the refugee situation had developed since the time when the 1951 Convention had been drafted, the Convention had proved a flexible and useful instrument; nevertheless, her delegation believed that it was necessary to undertake a thorough review of its scope if its effectiveness was not to diminish.

51. The Swiss Government supported the informal consultations organized by UNHCR at the Executive Committee's request. They provided an appropriate framework within which to address the new challenges arising in the refugee sphere, such as the concept of "temporary protection". Her delegation would welcome any efforts UNHCR could make to encourage the States that had not yet done so to accede to the 1951 Convention and the 1967 Protocol.

52. Mr. ROGERS (United Kingdom) welcomed the fact that UNHCR was continuing its consultations on protection and again made it clear that his Government supported the consultations because protection was so important in both short-term and long-term solutions. The United Kingdom also welcomed UNHCR's proposal to take action to encourage the countries that had not yet done so to accede to the 1951 Convention and the 1967 Protocol as well as the Conventions on statelessness and to promote the implementation of those instruments.

53. The United Kingdom also welcomed the Central Asia, South-West Asia and Middle East (CASWAME) regional consultation process begun under UNHCR auspices and hoped that it would help the reintegration process along, thereby reinforcing refugees' right to return home. It was clearly necessary to cooperate in that regard both with human rights organizations and with development agencies.

54. The United Kingdom shared the concerns expressed by the Director of the Division of International Protection about displaced persons and supported those delegations that believed it was necessary to promote protection in the field. The consultations on ways of improving the drafting and content of Executive Committee conclusions on protection should continue.

55. Mr. HAMMARBERG (Sweden) said he warmly welcomed the process begun by UNHCR to step up its dialogue with Governments and its proposal to continue to do the same in order to strengthen protection. It was important that UNHCR should make an effort to preserve the integrity of the legal approach and that it should continue to urge the States that had not yet done so to accede to the 1951 Convention and the 1967 Protocol, as well as other relevant instruments. States were not expected, however, merely to accede to those instruments. They should also incorporate international standards into their domestic legislation and praxis. UNHCR was an important consulting partner for Governments in that area. Sweden was prepared to continue cooperating with other States in order to support their efforts in that regard.

56. Sweden believed that refugee women and children should be given greater protection and that action to that end should be a fundamental activity for UNHCR.

57. Denmark's suggestion that the question of international protection should be considered by the Executive Council was an interesting one and deserved closer study.

58. Several delegations had emphasized the importance of States agreeing to readmit persons who other States had determined were not in need of protection. Sweden was aware of the difficulty some Governments might have in allocating the resources required for that purpose, but not to do so was likely to be a threat to the global asylum system, to the detriment of those who genuinely needed international protection, since some States might be tempted to tighten up their immigration policy. Lastly, Sweden encouraged UNHCR to continue to play an active part in stepping up regional cooperation among States in the area of migrations and refugee problems.

59. Mr. POTMAN (Netherlands) said the Netherlands believed that the consultation process begun by UNHCR on its protection mandate was extremely useful and important. It strongly supported the current system based on the existing treaties and on the principles of protection, particularly in view of the various threats facing the system. Action was required in all relevant areas in order to preserve and strengthen that system and the Netherlands would play its part in all appropriate forums, in particular those concerned with reconstruction, reintegration or development, in order to give UNHCR the wherewithal to continue to discharge its protection mandate.

60. The Netherlands supported the initiatives aimed at improving the process of drafting conclusions on protection and believed, like the Director of the Division of International Protection, that it might be a good idea to modify the procedures. The process should yield conclusions aimed at making the international community as a whole more aware of the demands of protection and to act as guidelines for UNHCR action in that regard. The Netherlands also strongly supported the campaign that UNHCR and its donors intended to carry out to encourage the countries that had not yet done so, in particular those that were members of the Executive Committee, to accede to the 1951 Convention and the 1967 Protocol and to the two conventions on statelessness.

The meeting rose at 1 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-ninth session

SUMMARY RECORD OF THE 532nd MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 8 October 1998, at 3 p.m.

Chairman: Mr. RODRIGUEZ CEDEÑO (Venezuela)

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GE.98-03349 (E)

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ANY OTHER BUSINESS

The meeting was called to order at 3.15 p.m.

REPORTS ON THE WORK OF THE STANDING COMMITTEE (agenda item 5)

(a) INTERNATIONAL PROTECTION (A/AC.96/898 and 905)

(b) PROGRAMME, ADMINISTRATIVE AND FINANCIAL MATTERS (A/AC.96/896, 897, 903, 905 and 910)

1. Mr. LEBEDEV (Russian Federation), referring to the Note on International Protection (A/AC.96/898), said that he wished to look at the challenge involved in narrowing the gap between theory and practice in the light of Russia's experience of refugee protection and of the regulation of their legal status. Much had been accomplished by the Russian Federation in the six years that it had been conducting a dialogue with UNHCR on protection issues, including accession to the 1951 Convention, the adoption of two acts on refugees and of legislation to implement them, the creation of infrastructures and the recruitment of staff to implement status determination procedures, ways of providing temporary asylum and access for UNHCR officials to an international zone at Moscow's airport. Russia had always sought to comply with its obligations under the 1951 Convention and, despite the difficult relations among the countries of the Commonwealth of Independent States (CIS) and the internal migration situation, he believed that civilized standards in dealing with refugees had been maintained.

2. The Russian Federation was currently examining applications from around 3,000 displaced persons. In the first half of 1997, 350 had been processed and status had been granted, but, in 1998, it might be possible to deal with 100,000. In Moscow and St. Petersburg alone, preliminary interviews were planned for 8,000. That gave an indication of the potential dangers of an influx of 300,000 from neighbouring countries, a number that might rise significantly given the trend in flows from Central Asia and the Caucasus. Daily arrivals of Afghans and Tajiks in the Moscow region were creating major problems in terms of time, experts and resources.

3. UNHCR frequently assessed the status of asylum-seekers in the Russian Federation on the basis of information from its Office in Moscow. However, it appeared that many of the approximately 30,000 persons processed by the Federal Migration Service were not in touch with the UNHCR Office in Moscow and did not intend to apply for refugee status. They were apparently satisfied with their indeterminate status and the protection of UNHCR. It was time to resettle some of those people into other countries, a measure that would represent a translation of the principle of burden-sharing into real action.

4. UNHCR appeared not to have a clear understanding of Russia's laws on forcibly displaced persons and citizenship. As had often been explained, the criteria for granting status to forced refugees and displaced persons were similar to those applied in granting the status of internally displaced person. Anyone who voluntarily chose Russian citizenship lost the right to international protection. That approach was quite consistent with humanitarian standards and human rights and forced migrants who sometimes had no links to Russia through birth, origin or permanent residence were accepted

by Russia because they saw it as their new homeland. The scheme represented a durable solution, in UNHCR terminology, and had prevented more than one and a half million people from being left without citizenship, yet it had not been incorporated into UNHCR practice. The inclusion of those people in the category of forcibly displaced persons at the 1996 Conference on the CIS countries had brought about no fundamental change in terms of their reintegration or rehousing. Forcibly displaced persons did find refuge in Russia and his delegation would expect UNHCR to consider that group as representing a durable solution. He realized that delegations would need time to consider his comments and his own delegation had therefore not made specific proposals on international protection in the Executive Committee, but was in close contact with the Division of International Protection.

5. Referring to the question of statelessness, he said he hoped that UNHCR would be active in helping to improve legislation, particularly in States where the levels of statelessness were still unacceptably high. It was important to ensure not only formal adherence to the Convention on the Reduction of Statelessness, but also genuine compliance with it, and active dialogue and coordinated efforts were needed to do so.

6. Mr. GUBB (New Zealand) said that the emphasis in the Note on International Protection on the links between protection and human rights was a timely restatement of the principles underlying the international instruments on refugees. He welcomed the intensified cooperation between UNHCR and the other United Nations human rights agencies as part of the mainstreaming of human rights requested by the Secretary-General. New Zealand recognized the importance of practical activities aimed at strengthening local capacity to protect and promote human rights, including training programmes for government officials and the judiciary who dealt with refugees, and its official development assistance (ODA) had supported the establishment of national human rights institutions.

7. The abuse of human rights as a cause of displacement was nowhere more evident than in Kosovo and New Zealand had recently condemned civilian massacres there as "outrageous and totally without justification". He commended those countries that were sharing the burden by protecting some of the hundreds of thousands of Kosovars who had fled.

8. New Zealand was currently considering legislation that would give asylum-seekers access to fair and efficient status determination procedures by clarifying the process and giving it a statutory basis in domestic law. The bill also sought to balance that approach to genuine asylum-seekers with procedures to deal expeditiously with unfounded applications, which threatened to clog the system and undermine public support for the institution of asylum. He expressed appreciation for the advice given by UNHCR on the proposals.

9. In addition to considering asylum applications at its border, New Zealand was also committed to accepting a quota of 750 refugees per year for resettlement on referral from UNHCR and efforts had been made to streamline the procedures for accepting such cases.

10. Mr. WEIN (Austria) said that his delegation supported the Australian delegation's suggestion that the next annual theme should be "Strengthening

partnerships to strengthen protection on the ground". That would allow a continuation of the current session's discussion and provide an opportunity to discuss practical implementation for the benefit of those who really needed it.

11. Mr. IRUMBA (Observer for Uganda) said that, under the 1951 Convention, refugees had a fundamental right to seek asylum. An essential element of the institution of asylum was the principle of non-refoulement and he was concerned at attempts to narrow down the numbers of people who could benefit from protection. Although it was important to guard against the misuse of the institution of asylum, it was crucial that asylum-seekers should be given access to fair determination procedures and not be subject to arbitrary detention.

12. On the fiftieth anniversary of the Universal Declaration of Human Rights, the link between human rights and refugee law could not be overemphasized. States' primary duty was to promote and protect human rights through programmes to combat xenophobia and to strengthen their capacity to protect human rights within their own borders. Such measures provided a good environment for protection and for the improvement of refugees' well-being. Uganda had a Human Rights Commission that monitored the Government's compliance with its obligations under the relevant instruments and refugees had benefited from the Commission's enforcement mechanisms.

13. He stressed the importance of demilitarizing refugee camps. Removing armed elements from, for example, camps in the Great Lakes region would ensure that the civilian character of the camps was not compromised and that protection could be enhanced.

14. He welcomed the UNHCR outreach programmes and the dialogue it had been possible to promote at the Kampala meeting of regional leaders, organized by UNHCR and OAU.

15. He agreed that it was necessary to adopt an approach that advanced the work of the Standing Committee in a practical way so as to reach conclusions. However, it was not the process that was at issue; what was critical was the attitude and political will of member States with regard to fundamental issues. Only when those issues were tackled would it be possible to advance. One problem was the attempts that were being made to use the process to erode the principles of protection. If they continued, no amount of effort to improve the approach would move the work forward.

16. Mr. SINGH (India), speaking from the perspective of a developing country, one that cared for 300,000 refugees, most of whom had been in the country for decades, and that met the cost, which amounted to tens of millions of dollars per year, from its own resources, said that India's openness came partly from its tradition and partly from its commitment to humanitarianism. Its protection regime was based on fundamental rights that were guaranteed by the Constitution.

17. UNHCR and the international community must harness the strengths of human rights law in order to improve refugee protection. It was regrettable

that, despite the great progress made in the last 50 years in increasing respect for human rights, refugee law sometimes appeared to be moving in the opposite direction. Traditional generosity was being replaced by approaches based on partial solutions and diminished regard for refugees' welfare. Societies naturally wished to preserve their own prosperity, but building walls to shut out refugees was not the right solution. The majority of developing countries, despite their difficulties in meeting their own basic needs, had not shut their doors to their neighbours. Yet many contemporary initiatives in the field of refugee protection appeared to seek not to narrow the gap between words and action, but the reverse. It was important that faith in humanitarianism and the principles of refugee protection were not compromised by such initiatives.

18. Closing the gap between theory and practice was a challenge for the whole international community, not just for UNHCR, and it required political will for States to live up to their commitments on the protection of basic rights and the promotion of tolerance and harmony in a multicultural world. It might even be that policies that based resettlement, inter alia, on identity of language and culture would be a step in the wrong direction, i.e. towards exclusivism rather than pluralism.

19. He shared the concern of the Director of the Division of International Protection that the Executive Committee's conclusions were becoming regressive at a time when it was progressive development of the protection regime that was needed. It had been suggested that the negotiating procedure needed to be reviewed, but his delegation believed that the problem was rather one of political will and States' approach to conclusions. Executive Committee conclusions on international protection should enhance protection for refugees and support UNHCR activities. They should not be used to legitimize national practices that fell short of international standards or to promote individual priorities. UNHCR was about burden-sharing. His delegation was particularly taken aback by the idea that Executive Committee conclusions should avoid what had been described as negative language, even when major human rights violations were at issue. He called on all Committee members to take an approach that prioritized the interests of refugees.

20. Local integration was one of the three traditional durable solutions, but it had not been discussed by the Executive Committee recently. As a policy option for dealing with mass inflows of refugees to a developing country, it could not be discussed casually. It was unfortunate that a number of delegations had been unwilling to await a proper examination of the complexities of the issue and had insisted on a pronouncement by the Committee on the matter. Local integration was increasingly being equated with resettlement, yet there was no comparison whatsoever between the burden imposed on 10 or more developed countries by the resettlement of around 28,000 refugees and that imposed on one developing country by the local integration of millions.

21. Calls had been made for increased adherence, particularly by members of the Executive Committee, to the 1951 Convention. That could best be encouraged if the signatories to the Convention were to set an example by implementing it in letter and in spirit rather than challenging some of its fundamental assumptions.

22. Ms. CALLANGAN (Philippines) said that, as the question of refugee protection assumed global humanitarian dimensions, her delegation supported and appreciated the role played by UNHCR. The procedure used for reaching conclusions in the Executive Committee needed rethinking and the focus needed to be more on substantive humanitarian issues and less on polemics.

23. Ms. WASUM-RAINER (Germany) said that the primary responsibility for protecting refugees lay with States, but UNHCR nevertheless had a crucial role to play. Support for the work of UNHCR could best be expressed by a higher number of ratifications of the 1951 Convention. Germany recognized the difficulties which UNHCR was experiencing with regard to its protection mandate and expressed its continuing support for the traditional, durable solutions to refugee situations, with particular emphasis on voluntary repatriation. Future debates should focus on how to translate into practice the principles and standards agreed upon thus far. Her delegation appealed to all States to ensure greater relevance for the Executive Committee's conclusions with respect to protection of refugees.

24. Ms. JANJUA (Pakistan) said that Pakistan had been one of the countries visited during the "reach-out" consultations on the international protection mandate of UNHCR, which had proved to be a very useful exchange of ideas. UNHCR had played a major protection role in Pakistan ever since Afghan refugees had started to arrive in the country. Pakistan's open-door policy and its exemplary treatment of the refugees had been acknowledged by UNHCR.

25. Although much emphasis had been placed on the ratification of the 1951 Convention and the 1967 Protocol, the Executive Committee should also examine the protection provided by some countries which were not signatories to the two instruments. Thus, although Pakistan was not a signatory, its ongoing commitment to refugees' rights and respect for the principles of international refugee law should be acknowledged.

26. UNHCR should take every opportunity to sensitize international public opinion, especially in the developed countries, with regard to the enormous burden that refugee crises placed on developing countries. Taxpayers in the developed world needed to be convinced that they were not alone in shouldering the burden. The economic, social and environmental costs of refugee populations had to be quantified and Pakistan was prepared to be used as a case study in that connection.

27. The problem with regional arrangements was that they had a tendency to shift international responsibility to the regional level. Refugee protection was an international responsibility and could not be left to the regions.

28. Some delegations had described the process of formulating conclusions in the Executive Committee as "tortuous". While the process could indeed be reviewed, the problem lay not so much in the process itself as in the impossibility of reconciling restrictive national practices and legislation with the protection obligations arising from the Convention and the Protocol. There was a need for greater flexibility on the issue.

29. Her delegation was uncomfortable with the concept of local integration because the topic had not been discussed fully enough and because local integration would be impossible to implement in the case of massive refugee influxes. Voluntary return was the only viable option in such circumstances.

30. The Kosovo crisis and other similar situations demonstrated that humanitarian agencies were limited in what they could do to protect the human rights of affected populations unless the international community came together on all fronts to bring an end to such suffering. In that connection, her delegation was gravely concerned about the increasing threats being made against humanitarian personnel.

31. While appreciating the difficulties faced by asylum-seekers, her Government had always maintained that the real threat to asylum systems came not from an overload of rejected cases, but, rather, from increasingly stringent asylum laws and administrative bottlenecks. Administrative procedures needed to be streamlined and humanized instead of resorting to blanket rejection or denial.

32. Mr. McNAMARA (Director, Division of International Protection) said that he had taken note of the widespread support for consolidating protection activities within a firm legal framework and also of the endorsement for a strengthened accession and ratification campaign with regard to the Convention relating to the Status of Refugees, the Convention on the Reduction of Statelessness and the Convention Relating to the Status of Stateless Persons. The overriding aim of such a campaign would be to ensure the implementation of refugee law and refugee principles in all their dimensions.

33. The Division would continue to pursue its "reach-out" programme within the limits of its resources and would expand it where possible. UNHCR regarded voluntary repatriation as the most appropriate solution to refugee crises, although resettlement was clearly a reasonable solution in special and vulnerable cases. In that connection, the Division welcomed the generous pledge made by Finland to the Resettlement Trust Fund and Norway's decision to increase its resettlement quota, as well as its offer to second personnel for UNHCR resettlement activities.

34. The Division had taken note of the concerns expressed by some delegations about the problems of protecting women and children and the central importance of family reunification. UNHCR shared those preoccupations and would strive to promote national legislation that would bring into force the right to family unity for all refugees. Protection of women and children should also be a high priority in programme planning; efforts were under way to improve response capacity by revising and mainstreaming the relevant protection guidelines and through intensified promotion and training at the global level.

35. Mixed flows of populations presented a number of challenges, such as problems of trafficking, undocumented arrivals and the return of rejected cases. The Division appreciated that the lack of documentation could make status-determination processes extremely difficult for States, but it was nevertheless concerned that lack of documentation per se was increasingly being linked to access to status-determination procedures. UNHCR had no

direct mandate to deal with properly rejected asylum-seekers, but it was clear that the non-return of rejected cases could negatively impact on the credibility and operation of asylum systems. UNHCR therefore conceded that it had a limited role to play in facilitating the return of refugees in specific and exceptional situations. Moreover, UNHCR was prepared actively and publicly to support the right of States to return properly rejected cases after due process.

36. Regarding the Executive Committee process itself, the Division welcomed the consensus on the need to reinfuse the conclusions with protection content and to depoliticize debates. The attitude of States might be more important than the process itself and the process should not be used to undermine principles.

37. The CHAIRMAN invited the Executive Committee to consider the work of the Standing Committee in respect of programme, administrative and financial matters, a detailed account of which could be found in paragraphs 4 to 13 of the report on the work of the Standing Committee (A/AC.96/910).

38. He took it that the Executive Committee wished to take note of the relevant work of the Standing Committee and was satisfied with the ongoing governance it had provided over UNHCR's activities and programmes.

39. It was so decided.

CONSIDERATION AND ADOPTION OF PROGRAMME BUDGETS (agenda item 6) (A/AC.96/900 and Corr.1 and Add.1 and Add.1/Corr.1 and Add.2 and Corr.1 and Add.3)

40. The CHAIRMAN invited the Executive Committee to consider and adopt the programme budgets contained in the overview of UNHCR activities (A/AC.96/900 and Add.1-3). The relevant documentation had already been reviewed by the Standing Committee and its conclusions had been issued in the report of its 13th meeting (A/AC.96/909).

41. Mr. HOREKENS (Director, Division of Operational Support) said that the budget for the 1998 General Programmes had been approved in 1997 at a level of $440 million. That figure had recently been adjusted downwards to $429 million to take account of certain reductions in programme delivery and administrative support costs. The Standing Committee had been kept regularly informed of developments in the funding of the budgetary target and UNHCR had foreseen that it would not obtain full coverage of its 1998 General Programmes from a combination of fresh contributions and secondary income. In anticipation of funding shortfalls, UNHCR had therefore been using a working budget of $370 million, focusing on priority activities, scrutiny of support costs, post reductions and cutbacks in administrative expenditure. Nevertheless, the assessed needs of refugees remained at the level initially budgeted for and every effort would be made to achieve higher levels of funding. The revised budget for the General Programmes in 1998, for which UNHCR required the approval of the Executive Committee, was still $429 million, i.e. the adjusted amount approved by the Committee in October 1997.

42. The 1999 General Programmes target had been set at $413 million, which included a Programme Reserve of 10 per cent of programmed activities ($33.4 million) and Voluntary Repatriation and Emergency Funds of $20 and $25 million, respectively. Given the difficulty experienced in raising funds in 1998 for a General Programme target of over $400 million, the same scenario was likely to occur in 1999. The budget should perhaps have been set at a lower level. A realistic and manageable internal working budget would therefore be set in the light of income projections. The budget submitted for the approval of the Executive Committee was thus $413 million for 1999 General Programmes.

43. Similar difficulties had been encountered in respect of Special Programmes in 1998. Budgets had constantly been adjusted downwards, often at the expense of programme delivery and sound management. Compared with the total projected amount of $612 million which had been set in May 1997, the current amount allocated to Special Programmes was $550 million, including a major component of $180 million for operations in the former Yugoslavia and $85 million for the Great Lakes region in Africa (excluding $40 million for Rwanda). It was anticipated that $429 million would be required for Special Programmes in 1999. The total projected budget for 1999 would therefore be on the order of $840 million.

44. The Standing Committee had also examined the structure of UNHCR's budget and had acknowledged that some improvement was required. Following the submission of new proposals and a review of those proposals by the Advisory Committee on Administrative and Budgetary Questions (ACABQ), the Standing Committee had agreed that additional consultations would be required to finalize a new budget structure, a prototype of which would be discussed and agreed upon for future use following a further review by ACABQ. A consolidated, unified budget would include all activities projected before the beginning of the programme year and would also include an operational reserve for use in emergencies and voluntary repatriation operations. Such a budget, which would be more transparent and predictable, could be in place by the year 2000. The new budget format would include new definitions of categories of expenditure under "Programme Support", "Management and Administration" and "Programme", a practice that was already used in other funds and programmes.

45. A workable mechanism and effective procedures for the prioritization of activities under the single budget structure would have to be developed in the coming months in consultation with member States. UNHCR was addressing that issue in the context of its ambitious review of programme management and the design and management of a new Operations Management System (OMS). The streamlined budget system would be complemented by an annual Global Appeal and a more focused and harmonious presentation of reports.

46. Mr. GÁNDARA GABORIT (Observer for Guatemala) said that UNHCR had played an indispensable role in facilitating the return of Guatemalan refugees to their homeland. A total of $300 million was currently required to complete the highly successful UNHCR programme in the region. Both UNHCR and the Guatemalan Government had striven to ensure that incoming funds had been used effectively and transparently. Very stringent financial controls were in place, thus demonstrating that UNHCR and its counterpart Government were

extremely responsible and cost-conscious. His Government appealed to all friendly countries to join with Guatemala in funding a programme to return and resettle Guatemalan refugees.

47. Mr. McGILL (Canada) said that the current year had been a difficult one for UNHCR financially and that had been coupled with the challenges of management reform. It was difficult to shift from a management culture based on growth to one based on contraction. It would therefore be critical for UNHCR to identify clear, strategic priorities for 1999 and to match them with realistic income projections. Canada was prepared to work with UNHCR and the other members of the Standing Committee to assist in establishing priorities and would endeavour to provide its 1999 core grant as soon as possible in its own fiscal year in order to contribute to greater funding predictability.

48. With respect to management reform, his Government had been encouraged by the work over the past few months under the leadership of the Director of Operational Support. The initiative to review the structure of the organization was positive and important. Action over a broad spectrum of topics was required to ensure that reform measures were implemented more effectively and in a timely manner. UNHCR's management culture, especially at the field level, needed to change. Recent informal consultations between the members of the Executive Committee and UNHCR on a unified budget structure, reintegration and the methods of work of the Standing Committee had been a productive mechanism and Canada encouraged their selective use in future. He looked forward to an early consultation on a revised proposal for a unified budget structure which incorporated the ACABQ recommendations.

49. Canada was sympathetic to the administrative burden placed on UNHCR by the differing reporting requirements of donors, but UNHCR needed to report better on the results of its programmes. A common reporting format was another issue that could benefit from informal consultations. UNHCR should also convene an informal meeting in the coming weeks to brief the Standing Committee on the results of the review of its evaluation function.

50. There was need for greater commitment within UNHCR, in particular at the field level, to the implementation of certain policy priorities that affected the quality of programmes. Those that dealt with refugee women and children were of key importance. He hoped that a new coordinator for women refugees, with the required experience and skills, would be selected as soon as possible. The implementation of the environment policy also required greater commitment.

51. Canada commended UNHCR on the nature and extent of its involvement in reintegration activities and noted the progress made in preparing an Operational Framework for Repatriation and Reintegration Activities in Post-Conflict Situations. It was, however, concerned that the office's role in reintegration should be for a clearly limited period of time and should be accompanied by well-defined exit strategies which included hand-over to the Governments concerned and other organizations. He commended the High Commissioner's efforts to enhance inter-agency cooperation in the reintegration of returnees in their countries of origin and hoped that her initiative in organizing a meeting with the World Bank in January 1999 would lead to concrete results and more effective working relations at headquarters

and in the field. In order to improve the functioning of the Standing Committee, it should further discuss the items on its work plan in December 1998 in order to develop strategic objectives and clear priorities over the next three years. The secretariat could then be asked to prepare a draft strategic work plan.

52. Mr. KALBITZER (Germany) said that the programme budget documents covered the activities of three different budgets: the closure of accounts for 1997, the current budget for 1998, with its revisions, and a draft of activities for 1999. Perhaps different documents should be issued for different years in order to enhance the clarity of the presentation. The budget format needed improvement. The documents for 1999 were correctly called an "overview" and not a draft budget. That was not only because of the imperfections in the budget format, but also because UNHCR's expenditures were very much dependent on donations, which varied a lot and often had all kinds of strings attached. Reserves could help, but could not solve that problem. The figures in the documents were therefore of a very indicative nature: should there be higher income than expected, expenditure would rise accordingly; and should income be lower, expenditure would fall. Under those conditions, it was very difficult to make a pronouncement on the draft.

53. Mr. SJÖGREN (Sweden), speaking also on behalf of the Nordic countries, said that the alarming decline in overall international aid, for both development cooperation and humanitarian assistance, had reflected on the funding of UNHCR. The Nordic countries remained committed to the 0.7 per cent level of gross national product in aid, as agreed to by the United Nations more than 25 years earlier. Contributions from the Nordic countries to UNHCR in 1998 amounted to some $124 million, making them the second largest donor. They intended to maintain a high level of contributions to the work of UNHCR, but believed that more equitable and broader burden-sharing in the funding of the Office's activities was a necessity for a balanced budget. The issue should be addressed in the context of the continued discussions on a reformed budget structure, which would enable donors to be better equipped to make timely contributions and thereby improve the predictability of UNHCR funding. Predictability of funding was also a prerequisite for cutting ongoing and planned activities in a rational manner, guided by priorities and needs and not by ad hoc funding gaps.

54. Although there had been a decrease in the past year in the population of immediate concern to the High Commissioner, the Nordic countries remained concerned about the extremely difficult and precarious conditions under which her Office had to undertake its responsibilities. They welcomed UNHCR's efforts to enhance training, particularly on security-related aspects, as well as the setting of standards for implementing partners through specific Operational Partnership Agreements. The evaluation of UNHCR's training activities to be undertaken during the second half of 1998, as recommended by ACABQ, was of particular interest to the Standing Committee.

55. The Nordic countries agreed with ACABQ's recommendation that a unified budget should be adopted, making a distinction between annual and approved budget, on the one hand, and supplementary activities, on the other. The prime merits of that reform would be better transparency on UNHCR's overall activities with ensuing improved accountability; better conditions for

planning and prioritizing within overall available resources and established priorities; better opportunities for a budget that was output-oriented and not limited to inputs only; and improved flexibility in meeting emerging needs and changing conditions on the ground. The Nordic countries welcomed the suggested harmonization between UNHCR and other United Nations agencies of the criteria for recording administrative and programme costs. They fully supported changes better to indicate the protection activities of UNHCR and encouraged the High Commissioner to give priority to the effective implementation of the established policy guidelines on refugee women and children.

56. The Nordic countries further welcomed the early and comprehensive presentation of the Global Programme needs, as suggested by UNHCR, and were encouraged by its efforts to improve standardized reporting. They urged it to give greater transparency to its evaluation work and welcomed the announcement that a review of the capacity and methods in the field of evaluation was being undertaken. The follow-up of that review should appear on the agenda of the Standing Committee for 1999. While supporting the annual external audits practised hitherto, they also recognized the General Assembly decision on biennial audits. A possible compromise could be to have annual financial audits and biennial, more comprehensive management audits.

57. Mr. IRUMBA (Observer for Uganda) said he agreed with ACABQ and previous speakers on the need to revise the budget format, and he would be happy to take part in consultations on the matter. He also agreed with the six priority areas of the change process. The financial tabulation of the priority areas should be more indicative, including a comprehensive review of resources, staff, software and hardware costs. Regarding the introduction of new technologies and UNHCR's wish not to use the integrated management information system of the United Nations, but to develop its own system, ACABQ had pointed out that there should be an appropriate systems development schedule and related costs, with target dates for delivery of the developed systems. Where development was contracted to outside companies, qualified staff within UNHCR must be available to monitor and manage all such contracted services. ACABQ had also stressed the importance of ensuring that a core staff should be dedicated to systems coordination and management and not encumbered with other activities. He hoped it was indeed the case that UNHCR was prepared for the Year 2000 software problems and would not come back with requests for extra costs.

58. He encouraged more staff training in order to cope with the changes under way. However, change should not be made for its own sake, but rather to produce better programme delivery; it should not become a bureaucratized structure protective of itself. New staff should be brought in despite cutbacks in order to provide the Office with fresh blood. Developed countries should consider financing junior professional officers from developing countries. He would be happy to participate in deliberations on a new budget structure.

59. Mr. THEVENAZ (Switzerland) asked about the reference in paragraph 36 of the overview of UNHCR activities 1997-1999 (A/AC.96/900) to the Senior Management Group as a "tool" at the Secretary-General's disposal for managing the United Nations system as one aspect of the reform. How were the functions

of that group defined, what exactly were its tasks and how was it related to the other tools at the Secretary-General's disposal? As to the reference in paragraph 39 to the Emergency Relief Coordinator, one of whose functions was the coordination of emergency humanitarian response, did not the term "emergency" cover both natural disasters and complex emergencies? In any event, the Coordinator's support was essential in dealing with both of those types of events, and should remain so.

60. Switzerland welcomed the new enthusiasm for a relationship between the humanitarian agencies and OCHA, as well as the increase in consultations and inter-agency groups, which could only strengthen humanitarian action, its coordination, consistency and resolve. It was in that spirit that the Emergency Relief Coordinator had accepted most of the recommendations of the Executive Committee for Humanitarian Affairs in order to give OCHA more room to manoeuvre in supporting coordination in the field. With regard to Project Delphi, did UNHCR have a timetable yet for when the database on protection would become operational?

61. In southern Africa, particularly in Angola, UNHCR had suspended its repatriation activities in June 1998 and the renewed fighting had put an end to the peace process. UNHCR had indicated that, owing to the lack of financing - 63 per cent of the appeal for $15.7 million having been covered as at 22 September 1998 - it would only just be able to provide assistance to the returnees. Within the framework of a special intervention plan, UNHCR also planned in mid-1998 to turn over to the Government all infrastructures that had been rehabilitated in the regions of return, particularly through the relations UNHCR had established with development agencies. What was UNHCR's experience in that field, how had the turn over been effected, to which partners and under what conditions? In relation to Somalia, UNHCR had indicated that its objective in 1999 would be the same as in 1998, namely, the continued reception and reintegration of returnees through quick impact projects. It was projecting some 76,500 returnees for 1999, similar to the 1998 figure. The security situation in the country did not seem to have improved, however, and a number of NGOs had already left. Were those projections for 1999 still valid and what was the status for 1998?

62. Mr. AKASAKA (Japan) said he shared the concern of other countries about UNHCR's declining financial resources and their adverse effect on programmes. The estimated 1999 budget was not encouraging and called for greater efforts. Despite his country's current economic difficulties, Japan was firmly committed to supporting UNHCR. Its 1998 contribution exceeded $100 million and more would be added later in the year where it was urgently required. In 1999 as well, his Government would make every effort to continue its financial support at a level not less than that of 1998.

63. As a major donor country, Japan was very interested in ensuring that its voluntary contributions were used efficiently and effectively. He therefore welcomed UNHCR's implementation of Project Delphi and the effort under way to prepare a comprehensive report and unified budget. Japan would take part in efforts to improve management practices.

64. Mr. HOREKENS (Director, Division of Operational Support) said that work was proceeding on the revised budget structure and UNHCR hoped to produce a

prototype by the end of the year for consideration first by the Standing Committee and subsequently by ACABQ. He thanked delegations which had expressed an interest in participating in those consultations, which would also relate to such issues as standardized reporting, the use of the global appeal as a funding mechanism, the predictability of funding and earmarking.

65. The overview of UNHCR activities (A/AC.96/900) submitted to the Executive Committee was indeed an overview, containing a number of tables and budgetary figures, rather than a draft budget. The budgets of individual regions were examined in turn throughout the year at Standing Committee meetings.

66. He fully agreed with the comments that had been made on sound management. A new Operations Management System (OMS) was being developed and a first draft should be ready by the end of the year.

67. UNHCR was firmly committed to maintaining high visibility for policy issues related to refugee women and children. Priority would be given in the months ahead to the task of mainstreaming those and environmental issues.

68. With regard to change management, UNHCR was not in the business of change for the sake of change and would avoid bureaucratizing the process. The small unit at Headquarters that was responsible for guiding the process had been integrated into the Division of Operational Support. It was working closely with all other units, particularly through an OMS Project Board and other mechanisms. As soon as the Operations Management System became a reality, the unit dealing with change would focus more on the monitoring of organizational development. Training was an important component of the change process, particularly in the areas of human resource management and financial management for field staff.

69. The decline in UNHCR resources would continue for some time to be a major concern. He thanked all those who had pledged continued financial support and indicated their intention to make early announcements of contributions. UNHCR relied on voluntary contributions and all it could count on when it commenced operations on 1 January 1999 were the pledges that donors made at the Pledging Conference and a very limited carry-over from 1998. He appealed again to member States and thanked them in anticipation for early announcements of contributions.

70. With regard to United Nations reform, the High Commissioner attended the meetings of the Senior Management Group. The Emergency Relief Coordinator was responsible for emergency humanitarian response, but natural disasters were dealt with in other parts of the United Nations system. UNHCR was fully committed to close cooperation with the Office for the Coordination of Humanitarian Assistance (OCHA), particularly through the Consolidated Appeal Process and in field activities.

71. The protection database would form an integral part of the Operations Management System. Further consultations with experts to clear up technical problems would take place in 1999.

72. He would welcome a review of the working methods and documentation of the Standing Committee.

73. He had taken due note of the question concerning staff matters and would respond in due course.

74. Mr. FAKHOURY (Controller) said he had taken note of the support expressed by the representative of Sweden for maintaining the status quo of an annual audit, a preference that had also been expressed by several delegations attending the 13th meeting of the Standing Committee. As a compromise between that position and the proposed biennial audit, the proposal for an annual financial audit and a biennial comprehensive management audit was a sound one and would be discussed with the Board of Auditors at the earliest opportunity.

75. The CHAIRMAN drew attention to the draft decision on administrative, financial and programme matters contained in document CN/DN/49/8.

76. The paragraphs concerning the proposed budgets levels for 1998 and 1999 related to paragraph 16 and table II.5 of document A/AC.96/900. He took it that the Executive Committee wished to adopt the 1998 revised General Programmes budget and the 1999 General Programmes target.

77. It was so decided.

78. The CHAIRMAN said he took it that the Executive Committee wished to adopt the whole of the draft decision on administrative, financial and programme matters.

79. The draft decision was adopted.

REPORTS RELATING TO PROGRAMME OVERSIGHT (agenda item 7) (A/AC.96/899, 901 and 901/Add.1 and 902)

80. The CHAIRMAN drew attention to document A/AC.96/899 containing the accounts for 1997, document A/AC.96/901 containing the report of the Board of Auditors on the accounts, document A/AC.96/901/Add.1 containing UNHCR's response to the report and document A/AC.96/902 concerning UNHCR's inspection and evaluation activities.

81. The detailed discussion of documentation relating to audit and oversight matters that had been held at the 13th meeting of the Standing Committee was summarized in the report on that meeting (A/AC.96/909) and reflected in the decision on administrative, financial and programme matters.

82. Mr. AMUNATEGUI (Director, Inspection and Evaluation Service), introducing document A/AC.96/902, said that the High Commissioner had taken many initiatives to strengthen internal programme oversight and control since the beginning of her mandate. Her proposal in 1993 to create a post of Inspector-General for UNHCR had led to the establishment of the Inspection and Evaluation Service in early 1995. In 1997, an agreement had been signed with the Under-Secretary-General for Internal Oversight Services providing, inter alia, for the financing by UNHCR of 15 auditor posts, including four stationed in the field. Other measures had included the recruitment of a

Senior Inspection Officer specializing in administrative and financial matters, the appointment of the Director of the Inspection and Evaluation Service as a focal point for investigations and the establishment of an internal Oversight Committee chaired by the Deputy High Commissioner, with a representative of the Office of Internal Oversight Services as an ex officio member. In 1998, inspection activities had been extended to include headquarters units as well as field operations, an external consultant had studied ways of enhancing UNHCR's investigation capacity, a post of coordinator for investigations had been approved and an external consultant service had assessed the evaluation function.

83. Between mid-1995 and the end of 1998, some 70 countries accounting for over 60 per cent of UNHCR's budget had been inspected. The High Commissioner had decided on appropriate follow-up in the light of the resulting reports (over 25). The third edition of the Inspection Handbook had just been completed and the database had been improved. The Inspection Unit had actively participated, at headquarters and in the field, in the post-by-post examination that had just been completed. Priority continued to be given to the in-service training of staff members of the Inspection Unit, but budgetary constraints were a major obstacle. Certain Governments had been approached with a view to drawing on their training facilities. In that connection, he thanked the Governments of the United States and France for their favourable response.

84. Despite its limited human resources, the Evaluation Unit had succeeded with the help of internal consultants in completing eight reports in 1997 and seven by the end of July 1998, including two jointly with the World Food Programme (WFP) and the United Nations Children's Fund (UNICEF). The database originally intended for inspection follow-up had been extended to cover evaluation.

85. The consultant service that had been asked to assess the evaluation function had begun its study in early November and should complete it by early November. The consultant responsible for the study had already sought the views of a number of representatives of member States on the Executive Committee and international organizations and numerous UNHCR staff members. The report would be submitted to the High Commissioner and her recommendations would be analysed by the units concerned. A plan of action to improve the evaluation function would then be prepared and approved by the Senior Management Committee. The results of the study and plan of action would eventually be reported to the Executive Committee.

86. Without prejudging the conclusions of the study, he proposed the following improvements to the existing system: submission to the Executive Committee of the annual evaluation programme as approved by the Senior Management Committee; systematic distribution of synopses of all evaluations contained in the annual programme; availability, on request, of each full evaluation report; submission to the Executive Committee, as part of UNHCR's annual report on internal oversight activities, of a special section on follow-up to recommendations resulting from evaluations; and submission to the Standing Committee, in the context of periodic reports on regional developments and as in the past, of a review of evaluation activities concerning the region in question.

87. At the request of the Joint Inspection Unit, the executive summary of the study by the Unit entitled More Coherence for Enhanced Oversight in the United Nations System had been made available to participants in the session. The Unit stressed the importance of differentiating between internal and external oversight mechanisms and the fact that internal oversight findings should be reported first to the executive heads of organizations, for whom they were a vital management tool. According to the authors of the study, member States wanted more oversight and control, but were dissatisfied with the quantitative and qualitative results. Some, faced with the plethora of reports, had even complained of oversight indigestion.

88. Mrs. HELKE (United Kingdom) thanked the Director for the measures he was taking to improve the transparency of the evaluation system. She looked forward to receiving the findings of the assessment of the evaluation function.

89. Mr. IRUMBA (Observer for Uganda) said that Uganda had always emphasized the importance of the evaluation function and was pleased that the High Commissioner had put in place a properly staffed unit for the purpose, that its efficiency was to be assessed and that the High Commissioner herself recommended appropriate action on the resulting reports. A culture of evaluation should be promoted among all UNHCR staff members with a view to improving programme delivery and eliminating superfluous activities. While internal mechanisms were obviously necessary for internal oversight, they were no substitute for external assessments of programme delivery by, for example, the Board of Auditors or the Joint Inspection Unit.

90. Mr. KALBITZER (Germany) said that it was of the utmost importance to have an unqualified audit opinion, but it would be preferable if auditors' comments were few, brief and favourable. On accounting matters, it might be prudent to follow their advice, the advice of ACABQ and United Nations practice if only to avoid prolonged discussion. The fact that UNHCR had experienced difficulties in obtaining audit certificates might be seen as indicating a weakness in its operations, which would be a very serious matter. He had taken note of the fact that UNHCR would in future have an enhanced internal audit function which should make dealings with the external auditors much easier.

91. Mr. GÁNDARA GABORIT (Observer for Guatemala) emphasized the importance that all receiving countries attached to oversight and auditing. In that connection, an effort should be made to ensure that UNHCR's external audits covered all countries every year. As the external auditors had not visited Guatemala since 1996, he hoped that a visit could be arranged before the end of 1998. The Guatemalan Government had offered to cover the costs of the audit. He proposed that the Executive Committee should consider the possibility of contracting internationally recognized external auditors within member States in order to obtain a better overview of the use of resources in individual countries.

92. Mr. AMUNATEGUI (Director, Inspection and Evaluation Service) said that, while there had been no recent external audit in Guatemala, an inspection of the Guatemalan operation had been undertaken by the UNHCR Inspection and Evaluation Service at the beginning of the year.

93. Mr. FAKHOURI (Controller), replying to the representative of Germany, said that UNHCR had not yet benefited from the comments of ACABQ on the Board of Auditors' report, since they were to be submitted to the Fifth Committee of the General Assembly on 5 November 1998. UNHCR would subsequently be in a position to act on ACABQ's advice, particularly on accounting standards.

MEETINGS OF THE STANDING COMMITTEE IN 1998 (agenda item 8) (CN/DN/49/8)

94. The CHAIRMAN drew attention to the draft decision on the programme of work of the Standing Committee in 1999 contained in document CN/DN/49/8. He took it that the Executive Committee wished to adopt the draft decision.

95. The draft decision was adopted.

96. The CHAIRMAN drew attention to the draft decision on observer participation in 1998-1999.

97. Ms. KOURULA (Secretary of the Executive Committee) said that applications had been received from the Government Observer delegations of Kenya, Peru, Yemen and Zimbabwe for participation in meetings of the Standing Committee from October 1998 to October 1999. They should be added to the list contained in paragraph (a) of the draft decision.

98. The CHAIRMAN said he took it that the Executive Committee wished to adopt the draft decision with the addition of four Government Observer delegations.

99. The draft decision, as amended, was adopted.

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE FIFTIETH SESSION OF THE EXECUTIVE COMMITTEE (agenda item 9) (CN/DN/49/9)

100. The CHAIRMAN drew attention to the draft decision on the provisional agenda of the fiftieth session of the Executive Committee contained in document CN/DN/49/9. He took it that the Executive Committee wished to adopt the draft decision.

101. The draft decision was adopted.

ANY OTHER BUSINESS (agenda item 10)

102. Mr. GOAGOSEB (Namibia) proposed that, at future sessions, issues relating to specific conflicts, for example, that between Eritrea and Ethiopia, should be addressed within a continental or regional framework rather than in the general debate on the annual theme. The Executive Committee should focus on humanitarian issues and avoid political discussions.

The meeting rose at 5.55 p.m.